

MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,  
HELD THURSDAY, SEPTEMBER 25, 2014

The Honorable Council of the City of Huntsville, Alabama,  
met in regular session on Thursday, September 25, 2014, at  
6 p.m., in the Council Chambers of the Municipal Building,  
there being present:

President:	Russell
Councilpersons:	Olshefski, Kling, Showers (Councilman Kling not present at beginning of meeting) (Councilman Showers not present for entire meeting)
Councilpersons Absent:	Culver
Mayor:	Battle
City Administrator:	Hamilton
City Attorney:	Joffrion
City Clerk-Treasurer:	Hagood

President Russell called the meeting to order.

President Russell stated that the invocation would be led  
by Kelly McCauley of the North Alabama Freethought Association;  
and that President Russell would lead the pledge of allegiance.

President Russell stated that the next item on the agenda  
was Approval of Minutes.

The minutes of the Regular Meeting of the Council on  
September 11, 2014, were approved as submitted.

President Russell stated that the next item on the agenda  
was Resolutions and Special Recognitions.

President Russell recognized Mayor Battle.

Mayor Battle asked Caneilia and Chris Patterson to come forward.

Mayor Battle stated that Mr. and Mrs. Patterson wanted to raise awareness about Down Syndrome.

Mrs. Patterson stated that they would like to talk about Alabama Down Syndrome Day on October 1, noting that Governor Bentley had signed a proclamation concerning this. She stated that this was for the inclusion of and the awareness of people with Down Syndrome, noting that this was a really big step, considering where this had been for the last 50 years.

Mrs. Patterson introduced their son, Gabriel, stating that he was 10 months old and had Down Syndrome and that he had certainly been the light of their life.

Mrs. Patterson stated that they were very honored by this day, and that they appreciated it.

Mayor Battle stated that he had a proclamation from the City of Huntsville recognizing Alabama Down Syndrome Day on October 1, 2014. He presented the proclamation to Mr. and Mrs. Patterson and thanked them for their comments.

Councilman Showers read and introduced a resolution congratulating Ruth Dell Crutcher upon her retirement as General Expediter, United States Postal Service, after 36 years of outstanding service, as follows:

(RESOLUTION NO. 14-709)

Councilman Showers moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Olshefski.

President Russell called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

Councilman Showers stated that he would be presenting the resolution to Ruth Dell Crutcher, on behalf of the Mayor and the Council, at the retirement celebration to be held at the HCM Event Center on September 27, 2014, at 6:00 p.m.

Councilman Showers read and introduced a resolution congratulating Ernestine Crutcher upon her retirement from the United States Postal Service, after 30 years of outstanding service, as follows:

(RESOLUTION NO. 14-710)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski.

President Russell called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

Councilman Showers stated that he would be presenting this resolution to Ernestine Crutcher at the Retirement Celebration to be held at the HCM Event Center on September 27, 2014, at 6:00 p.m.

President Russell stated that there was a class from Oakwood University in the audience, a Feature Writing Class,

and asked that a representative go to the microphone and introduce the class.

Ms. Kyna Hinson appeared at the microphone, stating that she was a professor in the Department of Communication at Oakwood. She stated that the Feature Writing Class made it a regularly scheduled item to attend Council meetings to find out what was happening in the city. She stated that they had been doing this for years and were glad to be present at this time.

President Russell stated that the next item on the agenda was Public Hearings to be Held.

President Russell stated that it was the time and place in the meeting for a public hearing to hear the appeal of the Liquor License Review Committee denying a Retail Liquor Lounge Entertainment License to Brazelton Properties, Inc., dba The Plush Horse, at 2021 Golf Road, Huntsville, AL 35802, at the September 4, 2014, Liquor License Review Committee Meeting. He stated that this hearing was set at the September 11, 2014, Regular Council Meeting.

President Russell asked if there was a representative from Administration who was going to speak concerning this matter.

Mr. Jim McGuffey appeared at the microphone, stating that he was City Planning manager. He stated that the subject license had been applied for and denied due to insufficient parking, parking space and occupant load. He stated that they were roughly 100 parking places short at this facility.

President Russell asked if there was anyone in the

audience who would like to address the Council on this particular issue.

There was no response.

President Russell asked if Mr. Heard was present.

President Russell was advised by a member of the audience that Mr. Heard was not in attendance at the meeting at this time.

President Russell again asked if there was anyone in the audience who would like to address the Council on this matter.

There was no response.

President Russell stated to the other Council members that the person handling the appeal was not in attendance at the meeting as of this time and asked if they wanted to hold the matter over until the attorney was present.

Councilman Showers replied in the affirmative.

President Russell stated that this public hearing would be continued until later in the meeting.

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 14-574, rezoning property lying on the east side of Slaughter Road and north of Farrow Road from Residence 2-A District to Residence 2-B District, which hearing was set at the August 14, 2014, Regular Council Meeting.

President Russell recognized Ms. Ashley Nichols of the Planning Division.

Ms. Nichols stated that the proposed rezoning concerned

approximately 6.39 acres, located on the east side of Slaughter Road and north of Farrow Road. She stated that the current zoning was Residence 2-A District and the proposed rezoning was to Residence 2-B District. She stated that this was currently vacant property, and that the property owner would like to request this change for future office and residential development.

President Russell asked if there was anyone in the audience who would like to address the Council on this particular matter.

There was no response.

President Russell stated that the public hearing was closed.

Councilman Showers moved for approval of Ordinance No. 14-574, rezoning property lying on the east side of Slaughter Road and north of Farrow Road from Residence 2-A District to Residence 2-B District, which ordinance was introduced at the August 14, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-574)

Said motion was duly seconded by Councilman Olshefski.

President Russell called for the vote on the above ordinance, and it was unanimously adopted by the Council members present.

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 14-576,

amending Article 3, Definitions, Section 3.1, Interpretation; and amending Article 15, Residence 2-B District, Section 15.1, Uses Permitted; Article 20, Neighborhood Business C-1 District, Section 20.1, Uses Permitted; Article 23, General Business C-3 District, Section 23.1, Uses Permitted; Article 24, Highway Business C-4 District, Section 24.1, Uses Permitted; Article 40, Light Industry District, Section 40.1, Uses Permitted; and Article 41, Heavy Industry, Section 41.1, Uses Permitted, to add assisted living facilities, which hearing was set at the August 14, 2014, Regular Council Meeting.

President Russell recognized Ms. Lisa Leddo of the Planning Division.

Ms. Leddo stated that this ordinance would add the permitted use of assisted living facilities to Residence 2-B, Neighborhood Business C-1, General Business C-3, Highway Business C-4, Light Industry, and Heavy Industry districts.

Ms. Leddo stated that they had added a definition for "Assisted Living Facility," and that it read as follows: "A system of housing and limited care that is designed for those who need some assistance with daily activities but do not require care in a nursing home." She stated that this ordinance would just add this use, by right, in the zoning districts she had stated. She stated that the Planning Commission had recommended approval of this ordinance.

President Russell asked if there was anyone in the audience who would like to address the Council on this

particular issue.

Ms. Jackie Reed, 1000A Bob Wallace Avenue, appeared before the Council, inquiring concerning "Uses Permitted." She asked if in each one of these districts it would be stated what uses would be permitted in the districts, when they changed the district lines.

Ms. Reed stated that she had attended a recent Planning meeting and that several persons had been present from Providence, where they were changing a lot of things. She asked if what was on the floor at this time had anything to do with that matter.

President Russell stated that he did not believe it did. He asked Ms. Leddo to explain this.

Ms. Leddo stated that it did not, that what was on the floor at this time affected the Zoning Ordinance in total, for the zoning districts she had stated. She stated that what this would do would be to add "Assisting Living Facilities" as a permitted use in each of these districts.

President Russell stated that, as he understood it, each district had permitted uses and this was adding one more usage to the particular districts.

Ms. Leddo stated that that was correct.

President Russell asked Ms. Reed if that answered her question.

Ms. Reed asked if the public would have any way of knowing any of this, if they would get letters when these facilities



were being put into the particular districts.

Ms. Leddo stated that for Zoning Ordinance amendments that affected the entire city, they did not send a letter to every city resident. She stated that these were advertised, per state law, in a newspaper of general circulation.

President Russell stated that they were handling this in a public meeting for that reason.

President Russell asked if there was anyone else in the audience who would like to address the Council on this particular issue.

There was no response.

President Russell stated that the public hearing was closed.

President Russell moved for approval of Ordinance No. 14-576, amending Article 3, Definitions, Section 3.1, Interpretation; and amending Article 15, Residence 2-B District, Section 15.1, Uses Permitted; Article 20, Neighborhood Business C-1 District, Section 20.1, Uses Permitted; Article 23, General Business C-3 District, Section 23.1, Uses Permitted; Article 24, Highway Business C-4 District, Section 24.1, Uses Permitted; Article 40, Light Industry District, Section 40.1, Uses Permitted; and Article 41, Heavy Industry, Section 41.1, Uses Permitted, to add assisted living facilities, which ordinance was introduced at the August 14, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-576)

Said motion was duly seconded by Councilman Showers.

President Russell asked Ms. Leddo why the Council was doing this.

Ms. Leddo stated that there had been an increased demand for assisted living facilities, that as the population was aging, more such facilities were wanting to locate in the city. She stated that this was not listed as a use by right in the Zoning Ordinance. She continued that they did have a determination in 2012 by the then Planning Director that these were the districts such facilities should go in and at this time they were just making it by right.

President Russell asked Ms. Leddo if there had been any problems in this regard.

Ms. Leddo replied in the negative.

President Russell asked if there was any further discussion of this matter by the Council members.

There was no response.

President Russell called for the vote on the above ordinance, and it was unanimously adopted by the Council members present.

President Russell stated that it was the time and place in the meeting for a public hearing on a resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties.

President Russell recognized Community Development.

Mr. Keith Atchley, Code Enforcement Manager,

Community Development, appeared before the Council, stating that the above resolution identified 75 properties that were in violation of the City's grass and weed ordinance. He stated that the properties were identified on Attachment A by the owner and location of the property. He stated that the owners had received written notification, by regular mail, that they were in violation of the ordinance and were given 14 days to correct the violations. He stated that all 75 owners had failed to respond and that Community Development had issued work orders to cut these properties, at a total cost of \$17,441.11, and an average cost of \$228.55. She stated that Attachment A also identified the date and cost of cutting the properties. He stated that the owners had received a written request, by regular mail, for payment, and had failed to respond. He continued that he was requesting that assessments be placed on the properties in order to collect these costs.

Mr. Atchley stated that the owners had been notified of this proposed action, and some persons could wish to speak at this time.

President Russell asked if there was anyone in the audience who would like to address the Council on this particular issue.

There was no response.

President Russell stated that the public hearing was closed.

President Russell read and introduced a resolution

authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties, as follows:

(RESOLUTION NO. 14-711)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

President Russell stated that the next item on the agenda was Communications From the Public.

Mr. Rusty Loiselle, 12004 Hearthstone Circle, appeared before the Council, stating that he was with Help the Homeless Veterans and Citizens of Huntsville and Madison County. He stated that at this time he wanted to talk about the senseless murder of Mark Scott Pridmore. He stated that Mark was a homeless man who had lost his mother at a very young age and struggled with that loss all of his life. He stated that Mark was a peaceful man, not aggressive. He stated that on September 4th, Mark had been savagely beaten by a gang of thugs because he asked if they had any change. He stated that he was beaten so badly that he died 48 hours later.

Mr. Loiselle stated that although Mark was beaten to death, only one man, an assailant in the gang, ever received a slap on the hand, with a manslaughter charge. He stated that

hate crimes like this could not go unpunished. He stated that if this had been a verbal altercation, they would not even be talking about it. He continued that once these men gathered in a group of 8 or 10 thugs and returned, that in his eyes it became a hate crime.

Mr. Loiselle stated that Mr. Pridmore had tried to defend himself, but to no avail, that he was hit, kicked, and beaten until his brain bled, and then they had all just walked away. He asked where the surveillance security tape of that murder was. He stated that the family had asked for the tape, and the Police had said that they had already picked it up, and there was a glitch, and it was erased. He stated that, according to his understanding, a bystander had a video on his phone, and that, too, was magically erased.

Mr. Loiselle asked why it was that when a person was homeless, that person had no rights, that whatever that person would do would be wrong. He stated that being homeless was not a crime, that it was a situation, one that could be rectified with the proper help: substance abuse/alcohol rehabilitation, mental health. He stated that throwing more money at NACH and the Housing Authority was not the answer, but that using that money in a different and better way was.

Mr. Loiselle stated that a large portion of the low-income population had made a choice to be supported by welfare so that they did not have to work like other persons did. He stated that those persons who abused the system with bogus medical

claims, in an effort to collect disability, were the reason there were not funds for the programs that were truly needed. He stated that he was aware of one woman who had had her two daughters diagnosed with asthma so that she could collect \$500 a month for each of them from Social Security Disability. He continued that these girls were 6 and 7 years old and asked what they were disabled from. He stated that disability was for those persons who could not work due to a disability. He stated that the woman he had mentioned had bragged about how those checks paid for her house.

Mr. Loiselle asked when persons were going to take their hands away from their ears and listen. He asked when the City would help put together a more secure designated area for the homeless, when Mark Scott Pridmore would get true justice.

Mr. Rodney Cole appeared before the Council, stating that his office address was 4411 Lloyd Noland Parkway, Fairfield, Alabama, and that he was the Chair for the Advisory Commission on Homelessness. He stated that he was present in support of Mr. Loiselle and his efforts for the homeless community. He stated that it had come to their attention that there had been some reason for concern with respect to the death of Mr. Pridmore, and that upon investigating this issue, they had found that this was but one of a sequence of events that had spoken to the necessity of addressing this in a very real way.

Mr. Cole stated that although Mr. Pridmore was a homeless individual, and he did, in fact, carry along some baggage with

him, he was still a human being. He stated that their focus had been deterred somewhat, and their view, because that equation, or part of the equation, had been summarily dismissed. He stated that they would like to ask for a conscientious effort to be displayed toward the health and welfare of those individuals who were less fortunate and not able to speak for and/or defend themselves.

Mr. Cole stated that in an attempt to determine what had truly happened in this matter, the family, as well as the advocacy agents for Mr. Pridmore, had been summarily dismissed, as though their voices were inconsequential. He continued that this, for them, showed some reason for concern, as well.

Mr. Cole stated that the reason he was appearing before the Council was to prompt and/or request and ask for some real and true concern to be shown and given to this situation.

Ms. Sherrie Saunders, 6231 East Upper River Road, Somerville, Alabama, appeared before the Council, stating that she appreciated the City of Huntsville giving her this opportunity to speak. She stated that she would first like to establish her position in the community. She stated that she was a State of Alabama Disability Advocate through the Governor's office. She stated that she worked for Mr. Cole and the Committee to Protect the Homeless as a Federal Advocate Investigator. She continued that she was assigned North Alabama.

Ms. Saunders stated that she had spent the last year under

cover, researching and investigating the aspects of the crimes that they were speaking about to the Council at this time. She stated that a couple of weeks prior, she had been asked by the family of Mark Pridmore to represent them in her capacity as a Federal Advocate Investigator.

Ms. Saunders stated that in her investigations, she had discovered that the Huntsville Police Department had taken it upon themselves to make decisions for investigative tools that could put them in a position to be investigated themselves. She stated that it was apparent that her investigation was not going to go forward well for her if she continued to be harassed, if the family of the victim continued to be harassed. She stated that in this capacity, she needed to be given all assurances that her health would remain the same as it stood at this time. She stated that she could not state that she had these assurances at this moment in time. She stated that there were many aspects of this case that involved the City of Huntsville, in more than one way. She stated that at this moment, she felt like she did not need to go further, as this would affect the case. She stated that it needed to be understood that she was present in a position of advocacy.

Ms. Saunders stated that she was a single individual, but that through her work, up to this point in her life, she had gathered wisdom, and that in that wisdom, she would like to ask for a favor of the City of Huntsville and the persons she saw before her. She stated that she would like to ask for their



friendship in going forward with these investigations. She stated that she felt like it would be in everyone's best interest that they worked together. She stated that, in her capacity, they would see her in Huntsville. She reiterated that she worked for Mr. Cole, but stated that she was North Alabama's Advocate Investigator, and that when someone had a problem, they could come to her.

Ms. Saunders stated that she had a problem, and that she was now coming to the City. She stated that she would like their help, their friendship, and that she would like a coalition of individuals that could assist her in her job.

Ms. Saunders reiterated that she appreciated the opportunity to speak to the City, noting that her name was Sherrie Saunders.

(Councilman Kling is now present in the Council Chambers.)

President Russell stated to Mr. Joffrion that Ms. Saunders had made some serious allegations and inquired as to who they should instruct her to discuss these allegations with.

Mr. Joffrion stated that Ms. Saunders was welcome to share the information with the Chief of Police, and that, also, she was welcome to communicate with his office, with him personally, if she would like to do so. He stated that he was the City Attorney for the City of Huntsville.

Mr. Joffrion stated that those would most likely be the best places to start. He stated that if Ms. Saunders would not be comfortable speaking to one of the persons he had mentioned,

she would be welcome to contact officials with the State of Alabama, if she felt more comfortable discussing the matter with them.

Ms. Crystal Riggins, 124 Cottdale Road, appeared before the Council, stating that she was a stepdaughter to the deceased, Mark Scott Pridmore. She stated that she wanted everyone to know who her stepdad was, stating that she had been 15 years old when he came into her life, and that, as with any teenager and parents, they had had their ups and downs, but that through it all, he had loved her more than anything, and that he was more of a dad to her than her real dad had been.

Ms. Riggins stated that Mr. Pridmore had a heart of gold, that he would give his last bite of food or money if it would help another. She stated that his life had not been an easy one, that his mother had died when he was nine, and that with that death, his father had left. She stated that Mr. Pridmore and his older brother, Ron, had had to handle life the best they could. She stated that Mr. Pridmore had turned to alcohol and soon turned into an alcoholic. She stated that the disease had taken hold of him and never let go. She stated that although his family tried to help, he could not stop drinking, which she noted was what had led him to the streets.

Ms. Riggins stated that although Mr. Pridmore was homeless, they still stayed in contact, and that she still loved him very much. She stated that her stepdad did not deserve to be murdered, nor did he deserve the disrespectful

treatment that he received due to being homeless, from the group of men at the fight, to HEMSI, to Huntsville Hospital.

Ms. Riggins stated that with Mr. Pridmore's death, she hoped that the community could be more accepting about the homeless and understand that the homeless are humans and they have a story. She asked persons to please be kind and compassionate. She stated that everyone seemed to label the homeless, noting that no one knew what led such persons to the streets. She stated that she herself had received a few stories that had touched her heart beyond belief. She stated that when these persons, these humans, asked for change, persons should know it was not always that they wanted a beer, that believe it or not, they were like her and the persons she was speaking to, that they wanted to wash their clothes and covers, that they wanted ice cream, or batteries so that they could listen to the radio. She stated that they must stop this stereotyping of the homeless and understand that this could happen to anyone, at any age, at any time.

Ms. Riggins stated that she was not just appearing before the Council for her dad, that it was also to fight for her homeless friends, whom she noted had shown more support than co-workers and friends had.

Ms. Riggins expressed appreciation to the Council for being allowed to speak at this time.

Mr. Joshua Pridmore, 124 Cottdale Road, appeared before the Council, stating that Mark Pridmore was his uncle. He

stated that he was his favorite uncle and would be missed so much. He stated that he knew, without a doubt in his mind, that he did not mean for this to happen to him and he was not out there doing wrong. He stated that he might have been doing wrong by the drug, but he could not overcome the disease he had. He stated that he remembered the times they had shared when he was a kid, riding motorcycles with him and him riding him around in his truck, and watching DVD's. He stated that he felt like this time had been cut so short because of all that was going on. He stated he wished he could have had more time with him, that he was a really good guy, that he would give you the shirt off his back, just as he would himself, and that he would help anyone out, that he would give away his last dollar in his pocket.

Mr. Pridmore stated that, as Mark Pridmore's nephew, he was just trying to seek justice for his death. He stated that he would not stop until the truth was known.

Ms. Sharon Walker, 2201 Walnut Street, appeared before the Council, stating that she was the founder of the Rose of Sharon Soup Kitchen in Huntsville. She stated that she did not know Mark Pridmore personally, but that she did know dignity and respect, and that she knew the homeless did not receive a lot of that. She stated that the way Mr. Pridmore had died was not respectful, and it was not with dignity. She stated that someone asked someone for change, and then that person left and came back with a gang of people to beat up the person who had

asked for change until his brain was swollen, and then one person got charged with manslaughter. She stated that to her this was wrong, that to her it was premeditated murder.

Ms. Walker stated that another issue she had concerned Huntsville Hospital. She stated that there were pictures on the internet of Josh with Mark, while he was in bed, on a respirator, and someone at Huntsville Hospital had put a name band on him saying "Whiskey Doe." She stated that they knew his name. She continued that, also, she did not care if they were having to go through the alphabet to name someone, "John Doe," or whatever, they should not use "Whiskey," that that was very disrespectful. She stated to whomever had done that, that it was a sick joke, and it was not funny.

Ms. Walker stated that persons should do community service and work with the homeless and see that the homeless were human beings. She stated that she knew homeless people who were addicts, who were lazy, and who were alcoholics, and at the same time, she knew persons who lived in houses who were addicts, who were lazy, and who were alcoholics.

Ms. Walker stated that every person needed to be treated with respect, whether they lived in a house, an apartment, a tent, or they had to go to sleep at night with a cardboard box around them. She stated that they were human beings, that she talked to these people every single day, and that they had feelings, they had dreams, and they had hopes. She stated that they had had a hard time in life, that they were in a bad

circumstance, and that most of them wanted to get out of that circumstance, most of them wanted to stop living that lifestyle. She continued that it was hard to get a job when you did not have an address, or you didn't have a phone, and you could not be called about a job interview.

Ms. Walker asked that homeless people be treated with respect, with the same respect as someone who lived on "Pill Hill." She stated that they should be given the same respect and dignity.

Ms. Walker stated that Mark Pridmore, in his death, needed respect and dignity, as well as his family.

Dr. Clarence Johnson, 3302 Buttrey Drive, appeared before the Council, stating that he was the North Huntsville Social Justice Chairperson. He stated that at this time the family of Mr. Mark Pridmore had come before the Council, in pain and anguish, to beseech the City, to beseech the governance, to find some closure for them in the situation that resulted in the passing of Mr. Pridmore.

Dr. Johnson stated that he had listened to all that had been said concerning this matter. He stated that Ms. Walker had pointed to a key factor about the homeless when she said they should be treated with respect. He stated that he understood that this was being addressed to the City Council and the Mayor, but stated that the city at large must come to understand that the homeless were not invisible people. He stated that he had spent four years with Operation Stand Down,

the military homeless, being retired military himself and trying to pay back. He stated that these persons were human beings, they had a right to live, and they had a right to as much comfort as they sought. He continued that he believed "the pursuit of happiness" was the clause that governed this.

Dr. Johnson stated that he believed the community needed to wrap their arms around the Pridmore family, as a city and as the governing body of the city. He stated that the law would be the law, the findings would be the findings, but that this family should be made to know that the city did care about what happened and cared about these individuals that too often were walked by and not seen, the invisible people. He stated that they were right before persons' eyes, and that they had a life, that it might not be like others', but they had life, and they should be guaranteed by law enforcement, and others, community members, to have as good a life as they possibly could.

Dr. Johnson stated that he was pleading with the governing body of this great city to seek to give some kind of confirmation, comfort, and closure to this family concerning the loss of their loved one.

Ms. Molly Burke, 1580 Sparkman Drive, appeared before the Council, stating that she was the Outreach Specialist for Jobs for Vets. She stated that Ms. Walker had addressed not only the need for respect for the homeless but also had addressed their dreams to rise above their situation. She stated that she was part of a program intended to do just that.

Ms. Burke stated that on the past Monday, they had started Jobs for Vets, at 1580 Sparkman Drive, and that they were helping unemployed homeless veterans find employment. She stated that their services included employment readiness training, employment placement assistance, actually coordinating with employers in the community to find jobs that folks with "gray" backgrounds could work. She continued that they had linkages to VA benefits and were cultivating linkages to social services in the area. She stated that they provided employment-related services, assistance for persons who needed interview clothes or if they needed transportation to work, things along these lines.

Ms. Burke stated that these were the kinds of things they were trying to get up and running, and that she just wanted to ask anybody in the room who knew either (a) a vet, a homeless vet, or (b) someone in one of the services or someone who would like to coordinate some of these services, to please have them call 256-812-1JOB.

Ms. Jackie Reed, 1000A Bob Wallace, appeared before the Council, expressing appreciation to the Council for allowing public input and allowing the citizens to be involved in government. She stated that she also wanted to thank them for Holmes Avenue, noting that it looked like heaven every time she came through there, several times a day. She stated that she also wanted to thank them for the contractors putting the wide and white lines on new pavement, so that persons could see



where they were going when it was dark. She thanked the Council for respecting her and being good to her during the many years she had attended Council meetings.

Ms. Reed stated that she would now have to get to the problems. She stated that the Huntsville Police Department was blocking off the courthouse every Friday. She stated that she had talked to the Chief about it, and he was going to make some adjustments. She stated that persons could not get in the courthouse on the north side or whatever. She stated that persons wanted to get into the courthouse on Fridays. She stated that if they wanted to party-hardy, they should move the time for blocking it off from 7 o'clock in the morning to 3 o'clock in the afternoon. She stated that she knew they wanted to party, but she wanted to get in the courthouse, and she did not want to walk halfway downtown to get to the courthouse. She stated that she was not the only one complaining about this, that there were more persons complaining.

Ms. Reed stated that her biggest complaint was the employees' 1 percent increase, noting that she believed they could have found more money for the employees. She stated that she saw that overtime for City employees was approximately \$900,000 and questioned if she had misread this.

Ms. Reed stated that the Stone Middle School project was bothering her, along with everyone else in the city. She asked why the City of Huntsville employees were there, on overtime,

tearing down half a building that was supposed to be owned by Schrimsher. She stated that she had the contracts, but they didn't look too good to her, that she could not make sense out of it. She continued that no one had gotten an environmental permit, no one had gotten a demolition permit. She continued that it said "Owner, City of Huntsville" and stated that she was not aware the City had purchased that building. She stated that no one had a deed in their name yet. She stated that they had not bought that, and they should quit that. She stated that these City employees had worked on Thursday, all day Friday, all day Saturday, all day Sunday, and now they were doing landscaping, to make it so beautiful over there. She asked who was paying for this. She stated that the taxpayers wanted to know this. She stated that she had the contract, but that it was not signed by anybody.

Ms. Reed stated that she knew what was going on, and she wanted them to tell the public and her later how in the world they had come up with this.

Ms. Reed stated that she wanted to thank Councilman Kling and the other Council members for making her mother-in-law an honorary citizen of the city on August 26. She stated that Councilman Kling had done this for her mother-in-law, who was celebrating her 100th birthday. She stated that her mother-in-law would be very proud of that.

Mr. Jerry Burnet, 2405 Greenhill Drive, appeared before the Council, stating that he wanted to speak briefly to

community leaders, and particularly to the elected officials. He stated that as individuals serving in leadership capacities, they had influence over those whom they served, their constituents. He stated that they bore the responsibility of casting a positive image for the sake of the community, which they wanted to make a better place for the next generation.

Mr. Burnet stated that casting a positive image would surely include calling out racism whenever and wherever it reared its ugly head, because racism had no place in today's society, and that it most certainly had no place in politics, that there was not enough room for it.

Mr. Burnet stated that his point was that there were too many local and/or state political candidates running against President Obama, although he had not seen his name on a ballot lately. He stated he recognized coded racism and they should also. He stated that any time a political candidate attached President Obama's name in opposition to his or her opponent, it became racialized, and they were guilty of playing the race card. He stated that it was coded, but it was racism just the same.

Mr. Burnet stated that they saw the effect of coded racism when they looked at the Affordable Care Act, how certain legislators referred to this bill as "Obamacare" and misled the public with false accusations, at the same time turning the public against the very bill that would provide a great service to hundreds of thousands of citizens in Alabama. He stated

that in spite of what Congressman Mo Brooks, Governor Bentley, and other legislators had said about the health care bill, research institutions had concluded that extending the Affordable Care Act in Alabama would provide affordable health care for more than 300,000 Alabamians, and it would save between 200 and 562 lives per year in Alabama alone, and it would generate more than \$1.7 billion in revenue, and would also add between 24,000 and 51,000 new jobs to the state of Alabama. He stated that the non-partisan Congressional Budget Office had projected that the Affordable Care Act would reduce the Federal deficit by \$210 billion over 10 years.

Mr. Burnet stated that when persons were sitting silent and allowing coded racism to hinder a valuable piece of legislation such as this, it became dangerous. He stated that coded racism hurt society in many ways, that it did not matter if one was old or young, black or white, Republican or Democrat, if a person considered himself to be a conservative or a liberal. And the fact remained that if one lived and worked in Alabama and received substandard wages, one was not liberated from that condition, that one could not conserve what they did not have. He stated that when persons tried to conserve what they did not have, it perpetuated poverty, noting that Alabama had a long history of poverty.

Mr. Burnet stated that racism was something that had happened to all races of people, but that no matter what the race might be, when someone was a racist, there was no

explanation for it other than ignorance. He stated that racism made life not worth living and this world not livable.

Mr. Burnet stated that community leaders and elected officials had the responsibility to address racist issues and that he was addressing the Council at this time to call on them to do just that.

Mr. Burnet thanked the Council for the opportunity to speak.

Pastor T.C. Johnson, 1800 Sparkman Drive, appeared before the Council, stating that he did not know whether his questions would be answered but noted that he had had several concerns and calls relative to the relationship between the business partners and the City as related to the Stone Middle School issue. He stated that one concern had to do with the value once being over \$5 million and the City was getting it for one point some million dollars. He stated that it was understandable that persons wanted the City to progress, but that the relationship between the owners and the Mayor had been questioned. He stated that he could not answer those questions. He stated that he would like to know, as Ms. Reed had asked, what was the relationship with someone purchasing the property as an independent business. He stated that it appeared that tax dollars were doing some serious work on preparing that building. He stated that he was sure there was an explanation for this.

Pastor Johnson asked what the relationship was that

required that the City do the ground work for an independent business. He stated that he did not know this, but that he would like to know, because he would like to answer the questions.

President Russell asked Councilman Kling if he wanted to respond to this.

Councilman Kling stated to Ms. Reed and Pastor Johnson that he would be glad to tell them about this. He stated that the City was doing some work concerning this property, that they were doing it for the School System, that it was sort of intergovernmental cooperation, that the City was doing some work for the School System, and the School System would do other things for them in the future.

Councilman Kling stated that what he knew about the project was that approximately five or six years prior, there had been an appraisal that had come in at that price, \$5 million, or whatever. He stated that the property never sold, that nothing was going on, and that every year the School System was spending over \$350,000 maintaining the building, security and utilities. He stated that this was a School System building, not a City building.

Councilman Kling stated that several months prior, he had invited Dr. Wardynski to come to a neighborhood meeting that was held with Holiday Homes, Merrimack, Lowe Mill, Westlawn, and he believed Fleming/Westbury, and possibly Bailey/Patton Estates. He stated that the concern they had was

about empty school buildings and the impact they would have on neighborhoods.

Councilman Kling stated that the School Board ran the system, that there was no doubt about that, but that this group had just waved the flag about the concerns they had.

Councilman Kling stated that in the aftermath of that, West Huntsville Elementary School was sold, noting that he believed they had recently closed on this, and that it was sold to a high tech computer start-up, incubator company, which he noted was a very good thing for the Lowe Mill neighborhood. He stated that, similarly, the Stone Middle School property had been sitting there, and there was some question about the appraisal, that after five years of being on the market, the value had dropped. He reiterated that the School System had been spending approximately \$350,000 a year maintaining the building.

Councilman Kling stated, concerning the deal that had been worked out on the Stone Middle School property, that there were two breweries going in, that there would be approximately \$6 million worth of improvements, construction, that was taking place on the property. He continued that from the appraisal, one would have to subtract approximately \$2 million for the cost of replacing the roof, because the roof had gotten holes in it and had gotten so bad that the \$2 million was the estimate for the replacement of the roof, which he noted had not been an issue previously.

Councilman Kling stated that when the property was completed, or even during the construction process, the sales tax on building materials would be one-time revenue that would come into the City. He stated that, also, because it was owned by the School System, no property tax had been coming in on this property. He continued that at this time, because it was going to a private person, there would be property tax on the basis of an estimate of between six, seven, or eight million dollars' worth of value on the property.

Councilman Kling stated that what he had just explained was what he had found out because he had had questions concerning this matter and had had persons who had asked him about it, similar to what had been asked of Pastor Johnson.

Councilman Kling stated that, in addition, this would be a plus for the West Huntsville area, after having a blight there. He stated that hopefully there would be more good things that would come along that corridor along Governors Drive.

Ms. Pat Glass, 7208 Chadwell Road, appeared before the Council, stating that she would like to speak about a subject that concerned not only Huntsville but the entire state of Alabama, and that that subject was the growing concern among Alabama residents about the implementation of the Alabama College and Career Readiness Standards, also known as Common Core, to be implemented in the current year, 2014.

Ms. Glass asked why anyone would object to a nationalized, one-size-fits-all education. She continued that the reasons



were many. She stated that first and most importantly, Common Core standards took away parental control and allowed for the collection of massive personal, non-academic data on the children. She asked if this was what Huntsville and Alabama wanted.

Ms. Glass stated that if persons thought that a private school or home-schooling was the answer, they should think again, because Common Core would also impact them.

Ms. Glass stated that Common Core was touted as preparing students to compete on the global stage, but questioned if it really was. She stated that she understood that higher levels of math, such as trigonometry and calculus, would not be included in the curriculum. She asked how this would be helpful on the global stage.

Ms. Glass stated that education experts asserted that it would put students two years behind students in other countries. She stated that Common Core was a set of mandatory national standards, tests, and curriculum, for kindergarten through 12th grade that would be controlled from Washington, D.C., as a top down, nationalized education. She stated that they were told that local control would be maintained and asked if this were true, what was the need for Common Core, as there was already local control.

Ms. Glass asked if persons wanted a curriculum that moved away from the founding principle that parents, not the Federal government, should control local education. She asked what

about God, would the mores and values of the God of our fathers be replaced by the mores and values of Washington, D.C., and if so, if that was what persons wanted. She stated that she understood that 78 percent of Alabama residents were not in favor of Common Core values and standards, and, yet, here it was being implemented. She asked why this was.

Ms. Glass stated that Alabama Legislator Joe Hubbard, in an effort to represent his constituency, had drafted a resolution to defund Common Core, which had passed the Senate but died in a House committee. She asked if this important issue should be put into the hands of Alabama voters in a referendum or special vote of some kind. She continued that it was the citizens' tax dollars and it was their kids and questioned whether they should have a vote on this.

President Russell stated that the next item on the agenda was Board Appointments to be Voted On.

President Russell read and introduced a resolution to reappoint Ed Pugh to the Beautification Board, for a term to expire October 1, 2017, as follows:

(RESOLUTION NO. 14-712)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted by the Council members present.

Councilman Showers read and introduced a resolution to reappoint Ben Bragg to the Beautification Board, for a term to

expire October 1, 2017, as follows:

(RESOLUTION NO. 14-713)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

Councilman Kling read and introduced a resolution to reappoint Bob Baudendistel to the Beautification Board, for a term to expire October 1, 2017, as follows:

(RESOLUTION NO. 14-714)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted by the Council members present.

Councilman Showers read and introduced a resolution to reappoint Jane Tippet to the Beautification Board, for a term to expire October 1, 2017, as follows:

(RESOLUTION NO. 14-715)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

Councilman Showers read and introduced a resolution to reappoint Donna Alt Parker to the Beautification Board, for a term to expire October 1, 2017, as follows:

(RESOLUTION NO. 14-716)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling

and was unanimously adopted by the Council members present.

Councilman Showers read and introduced a resolution to reappoint Joe Green to the Burritt Memorial Committee, for a term to expire October 1, 2017, as follows:

(RESOLUTION NO. 14-717)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

Councilman Showers read and introduced a resolution to appoint Rick Hempstead to the Burritt Memorial Committee, for a term to expire October 1, 2016, as follows:

(RESOLUTION NO. 14-718)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Showers read and introduced a resolution to reappoint Martha Jo Smith to the City Tree Commission, for a term to expire October 8, 2016, as follows:

(RESOLUTION NO. 14-719)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

Councilman Showers read and introduced a resolution to reappoint Lyle Voyles to the Housing Board of Adjustments and Appeals, for a term to expire August 22, 2019, as follows:

(RESOLUTION NO. 14-720)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

Councilman Showers read and introduced a resolution to reappoint Clarene Teague-Johnson to the Human Relations Commission of the City of Huntsville, for a term to expire September 8, 2018, as follows:

(RESOLUTION NO. 14-721)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski and was unanimously adopted by the Council members present.

President Russell stated that the next item on the agenda was Board Appointment Nominations.

President Russell nominated Lawrence R. Miller, Jr., for appointment to the Beautification Board, for a term to expire October 2, 2017.

Councilman Kling nominated Pam Cobb for reappointment to the Human Relations Commission of the City of Huntsville, Alabama, for a term to expire September 22, 2018.

President Russell stated that the next item on the agenda was Approval of Expenditures.

Councilman Kling read and introduced a resolution authorizing expenditures for payment, as follows:

(RESOLUTION NO. 14-722)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell called for the vote on the above resolution, and it was unanimously adopted by the Council members present.

President Russell asked Councilman Kling if he had a Finance Committee Report.

Councilman Kling replied in the negative, stating that, however, the Mayor's budget would be coming up later in the meeting and that he was sure there would be further discussion concerning it.

President Russell stated that the next item on the agenda was Communications from the Mayor.

Mayor Battle asked Chief Morris, Huntsville Police Department, if he would present a report at the next Council meeting on the Mark Pridmore case. He asked if he had knowledge concerning the case at this time or if he needed to get with investigators on this.

Chief Morris stated that the knowledge he had was that there had been an arrest made in the case. He stated that the District Attorney was aware of all the facts, and that he needed to contact the District Attorney to determine the status.

Mayor Battle stated, concerning one of the questions

Pastor Johnson had, that Councilman Kling had answered a good bit of it, but noted that there had been another appraisal that was done on Stone Middle School four years after the \$5 million appraisal had been done. He stated that he believed that this appraisal was done in January of 2014, and that it had evaluated the property a little over \$1.1 million. He stated that this was in Crystal Bonvillian's story with al.com, and that one could look that up, noting that there was a link to it, and the appraisal was actually included there.

Mayor Battle stated that there were many things going on in the city, that Greene Street Market was open at this time, and that they had Catfish on the Square, sponsored by the Alabama Agricultural Commission. He stated that as persons left this meeting, they would most likely hear music, that there was music and entertainment on the Square on this night and on the following night.

Mayor Battle stated that the International Festival would be at UAH from 9:30 to 5:00 on Saturday, and that the Mercury Rising Chili Cook-off would be on Saturday at Big Spring Park.

Mayor Battle stated that they had kicked off the Healthy Huntsville Walking Challenge the past week, where they were asking everyone to walk 25 miles in the month of October, in that 31 days. He stated that walking these 25 miles was just to get a little healthier, that they were asking everyone in Huntsville to get a little healthier. He stated that one of the goals of this was to have a healthier population, noting

that a healthy population was more productive, not only at work but also at home. He continued that, also, persons would feel a little better. He stated that he hoped that everyone would work with them on this and meet the challenge. He stated that Blue Cross Blue Shield had some prizes for those persons who could meet this challenge.

President Russell stated that the next item on the agenda was Communications from Council Members.

Councilman Kling stated that it was with sorrow that he reported the passing of Mr. Carter Sibley, noting that he had been involved in local politics and was active in the Jaycees and was very active in neighborhood issues in the Fleming/Westbury area. He stated that he was a great person and would certainly be missed.

Councilman Kling stated that the Merrimack neighborhood area had had their Saturday morning cleanup a couple of weeks prior and that he had gotten plenty of exercise there. He thanked Joy McKee and her team for the great job they had done on this, as they always did, providing support, tools, and working with the residents and picking up the bagged litter. He stated that it was a good thing they had done this because the next weekend, the Merrimack Neighborhood Association had had their chili cookout.

Councilman Kling stated that he wanted to express his sympathy to Mark Roberts on the loss of his mother. He stated that, also, his thoughts were with Shane Davis, whom he was



aware was taking good care of his dad, who was having to deal with a lot of issues.

Councilman Kling stated that at almost every meeting, there were some issues related to the homeless that came up. He stated that the gentleman from the Homeless Advocacy group had been before the Council on numerous occasions. He stated that he had had some very good discussions at his town meeting with Carol Cotney, who was homeless, and that she had counseled him on a lot of things. He stated that, serving on the Council, they learned things, and they tried to deal with issues as best they could. He asked if perhaps somewhere along the line they could set up some sort of work session where they could have discussion with the various agencies that provided services to the homeless that the City provided funding to, perhaps get them together and see if there was something they could do to get a better connection.

Councilman Kling stated that he believed they had taken some action where residency was not going to be an issue that would prohibit homeless persons from applying for City of Huntsville jobs. He stated that he appreciated Byron Thomas for doing this.

Councilman Kling stated that he believed there were different things that they could do, and he believed they could get a little better connection and try to get better communication. He stated that he did not know the answers, but he would like to think that he could help a little in the

process and see what they could do, maybe just getting people together, resources, and there might be some better connections. He stated that he believed there were some other things that they could do, such as what Mr. Thomas had been able to do, as far as dealing with the residency issue for applications to the City. He stated that perhaps they could set this up and get communication out to the agencies. He stated that he would hope that Carol Cotney, if they could reach her, would be able to come.

Councilman Kling stated that one possible thing was that there might be some surplus bicycles that the Police Department had that were never claimed, from various crime scenes, and that perhaps after a certain period of time, if they were not going to be claimed, they could be turned over to the homeless agencies to distribute. He stated that he had done a lot of walking the past summer, and if riding a bicycle, he would certainly have been able to cover a lot more territory with a lot less effort. He stated that this would be a small thing that they could do that might be of help.

Councilman Kling reiterated that perhaps they could schedule a work session and let the agencies know that they provided funding to, as well as agencies that had contacts with the homeless, and get some of them to come down so that they could have input from them.

President Russell stated that he would get a work session set up.

Councilman Showers stated he would like to thank Terry Hatfield and Joy McKee for what they did in the city. He stated that at the prior Council meeting, he had asked for a status report on Pulaski Pike. He stated that most persons were aware that they were doing a massive repaving project on Pulaski Pike and that there were certain intersections where they were doing basic work. He stated that the citizens who resided in Drake Mountain Estates wanted to thank Mr. Hatfield and Ms. McKee for what they had been doing in their neighborhood.

Councilman Showers asked Mr. Hatfield if he would take a look at a ditch that was located between Banks Street and Jonquil Drive, to be evaluated.

Councilman Showers stated that on the following Monday, the Mount Charron Association would be meeting at the Showers Center at 6 p.m.

Councilman Showers stated that he would be attending Chairman Dale Strong's State of the County address on the following Monday.

Councilman Showers stated that he wanted to say to all the friends and supporters of Alabama A&M University that on Saturday, October 4th, there would be the homecoming game and the Lewis Crews Classic. He asked all the friends and supporters of Alabama A&M to attend this event. He stated that on that day, the parade would start at 8 a.m., and the game would be at 2:30 p.m. He stated that, also, leading up to the

game, there would be a coaches breakfast, on October 2nd, at 8 a.m., at the Knight Center.

Councilman Showers stated to Mr. Hatfield that there was a neighborhood called "Patterson Place," on Blue Spring Road, and at 2640 there was a green space, and that he had gotten several calls on the need to have this cut. He reiterated that that was 2640 Blue Spring Road, Patterson Place.

Councilman Showers stated that he was going to have to leave the meeting at this time. He stated that he wanted the citizens that he represented to know that there had been a Council work session the prior evening, where the budget for the upcoming year was submitted to the Council, as well as the Capital outlay plan. He stated that although he would not be present for the vote, he was in favor of both budgets, the General budget and the Capital budget. He continued that, however, there might be some additional input after this meeting. He reiterated that he was in support of what the Mayor had presented to the Council on the prior evening at the work session on the budget.

Councilman Showers stated that he would be leaving this meeting and would be going to a gala at Union Chapel.

Councilman Showers thanked all the persons in the audience who were in attendance at the meeting, noting that it was a delight to have them come and share in what their elected officials did for them on behalf of the city of Huntsville.

(Councilman Showers leaves the Council Chambers.)

Councilman Olshefski stated that toward the end of his term, it seemed that persons were contacting him more than they had in the past. He stated that the good news was that there was a great staff to work with on these matters, noting that he had had a multitude of things in the prior week, across the full spectrum of the staff, and that he wanted to say that all of these persons, from grass-cutting to problems with buildings, to commercial to four-plexes, to paint on the roads, that they had put out a lot of effort, and he certainly appreciated it.

President Russell stated that they had continued the public hearing on the appeal of the Liquor License Review Committee denying a retail liquor lounge entertainment license to Brazelton Properties, Inc., dba The Plush Horse, at 2021 Golf Road, Huntsville, Alabama 35802, at the September 4, 2014, Liquor License Review Committee meeting. He stated that they would hear this appeal at this time.

President Russell stated that the Council had already heard from Mr. McGuffey in this matter and asked Mr. Kevin Heard if he would like to address the matter at this time.

Mr. Heard appeared before the Council, stating that he represented Brazelton Properties. He stated that the issue before the Council at this time was the appeal of the Liquor License Review Committee denying a retail liquor lounge license to Brazelton Properties and why they were maintaining that that denial was arbitrary.

Mr. Heard stated that, quite simply, the property was commonly referred to as "The Plush Horse." He stated that The Plush Horse, according to the Fire Department, had never stopped being a place of assembly. He continued that as a place of assembly, it had an occupancy of approximately 585 people. He stated that with that occupancy, one had to have a corresponding amount of parking places, which he noted would be 352.

Mr. Heard stated that they understood that Councilman Culver had counted 358 spaces. He stated that this figure was at odds with what the City had recently counted, noting that they started at 205 and that he understood that at this time they were at 255.

Mr. Heard stated that their position, quite simply, was that The Plush Horse, as a lounge, employed people. He continued that Brazelton Properties was seeking to keep people employed at the lounge and wanted this liquor license and wanted to do so in a method and manner which was consistent with the use of the property in the past.

Mr. Heard stated that Mr. Brazelton of Brazelton Properties had offered to reduce the occupancy of the property down to 425, noting that at 425 people, it would meet the 255 parking space requirement. He stated that, however, they had been advised by the Fire Department that they could not lower the occupancy to 425, so that they were caught in a catch 22, that on one hand there was the fire department who was saying,

"You cannot, because you are grandfathered in, lower your occupancy to meet the amount of parking spaces that are required," and that on the other hand, if they increased the space, there would be additional requirements, which he noted they believed they had met.

Mr. Heard stated that their position, quite frankly, was that it was arbitrary. He stated that they were looking to the Council to approve the license, noting that they believed they met all the terms and requirements of the granting of the license.

President Russell asked if there was anyone else in the audience who would like to address the Council on this particular issue.

Mr. Heard asked if he could make an additional statement.

President Russell recognized Mr. Heard.

Mr. Heard stated that when they had been before the Liquor License Review Committee, there was a lady there who lived nearby. He stated that their position on this was that people who lived nearby that location had moved into the area, noting that the location had been a lounge since 1970, that it had consistently been a place of assembly. He stated that persons had moved into that particular area with that knowledge.

Mr. Heard stated that, secondly, it was arbitrary to simply say that because of what may have happened in the past, it would happen in the future. He stated that that was not justification for the denial of this license. He stated that

they could not say that because The Plush Horse had had an event in the past, it would do so in the future. He stated that that was not sufficient justification.

Mr. Heard stated that with that in mind, they were respectfully requesting that the Council grant them this liquor license.

President Russell asked if there was anyone else in the audience who would like to address the Council on this specific matter.

There was no response.

President Russell stated that the public hearing was closed.

President Russell asked Mr. Joffrion to advise the Council on what their options were in this matter.

Mr. Joffrion stated that in the absence of a motion to approve the license, which motion would be approved by a majority of the Council members, the denial of the license would be upheld. He continued that it would have to be an affirmative vote, approved by a majority of the Council members.

President Russell asked Mr. McGuffey if he would comment on Mr. Heard's argument, noting that the argument seemed to make sense to him, that if they wanted to have fewer people in, then they would need fewer parking places, and then they could meet the requirements and get a liquor license. He asked Mr. McGuffey why he did not agree with that argument.



Mr. McGuffey stated that the Fire Department set the occupant load. He continued that, as he understood it, if they changed the occupant load to a lower number, it would trigger Fire Department regulations as far as sprinkling the facility and other requirements that could not be satisfied. He stated that it would be a catch 22. He stated that he was stuck with the current load the Fire Department had given them, 586, and that this would require 352 parking spaces, and there were 245 parking spaces.

President Russell asked Mr. McGuffey if the only way he would approve this was if there were 385 parking spaces.

Mr. McGuffey stated that it was 352 parking spaces.

President Russell asked how many parking spaces there were.

Mr. McGuffey stated that they had counted 245, that they had been asked to recount after the last meeting, and they had done so, noting that Mr. Brazelton had re-striped the property. He stated that after it was re-striped, they did find additional parking places, to a total of 245 parking places.

President Russell asked Mr. McGuffey what he believed the reason was for everyone having different counts on this.

Mr. McGuffey stated that he believed that over the years, the parking layout had changed a bit, perhaps through striping or perhaps through additions to the parking lot. He stated that all he could go with was the current striping and that was what they had done.

Mr. Heard asked President Russell to ask Mr. McGuffey whether he had counted the parking spaces within the gravel area, noting that he believed this was where the discrepancy was. He stated that if the parking spaces were counted based on striping, they had counted as many as 358. He stated that he did not know where Mr. McGuffey was coming up with 255 when he knew full well that they had improved the area, so that they had added a gravel area for additional parking spaces. He stated that they did not believe the number of 255 was accurate.

President Russell stated that he believed the number was 245.

Mr. Heard again asked if Mr. McGuffey had counted the parking spaces in the gravel area.

Mr. McGuffey stated that they had not counted the parking spaces in the gravel area due to the fact that the zoning ordinance stated that if they increased the parking lot by more than five percent, which would be to add parking places, the entire site must be compliant, with lighting and landscaping. He continued that in order for him to count the additional gravel parking spaces, the site lighting and landscaping would have to be upgraded.

President Russell asked if it was correct that the gravel parking spaces had not been counted.

Mr. McGuffey stated that that was correct.

President Russell asked if it was correct that if they

were counted, there would be some other regulations that would be brought in, and it would still throw it back out.

Mr. McGuffey stated that that was correct.

Mr. Heard stated to President Russell that if they did that, what they would have done, basically, would be that they had left the building at 585 people, with it constantly being a place of assembly. He stated they were simply going to say, "Well, now, you cannot count that extra space because you don't have green space," but they had never even said how much more green space they were going to need. He stated that this was arbitrary, that it was subjective and it was arbitrary.

Mr. Joffrion stated that there was nothing arbitrary about the parking requirements under the zoning ordinance, that it was a very clear formula and there were very specific regulations. He stated further that Mr. Brazelton had been advised of the regulations.

Mr. Heard stated to Mr. Joffrion that, in all due respect, he knew as well as he did that if one went out and counted spaces, one would not come up with 245, that one would come up with a different number. He stated the question was how much additional green space did Brazelton Properties have to have. He stated that they had never been told that, that that was a subjective interpretation.

Mr. McGuffey stated that it would be Brazelton Properties' responsibility to provide that information, that if they chose to provide them with a current site plan showing the amount of

parking places or landscaping or lighting, they would be happy to review it.

Mr. Heard stated to President Russell that this was another example of goal post moving, noting that this was a constant battle. He stated that the goal post had moved constantly because of the subjective requirements that Mr. McGuffey wanted them to meet.

President Russell stated to Mr. Joffrion that he assumed the requirements were the requirements and they were written down.

Mr. Joffrion stated that they were, that there had been no mystery about them. He stated that he respectfully disagreed with Mr. Heard. He stated that the requirements were very clear, and they had been explained to Mr. Brazelton, and they had not been complied with.

President Russell asked if there was any further discussion on this matter.

There was no response.

President Russell asked if there was a motion concerning this matter.

There was no response.

President Russell stated that the matter died for lack of a motion.

President Russell recognized Councilman Kling.

Councilman Kling asked Mr. Joffrion if it would be inappropriate for him to raise the issue concerning the City

purchasing this property.

Mr. Joffrion stated that that would be entirely up to the Council.

Councilman Kling stated that he had mentioned this in the work session concerning the budget on the previous night, noting that both he and Councilman Culver had at times raised the matter about the City getting an appraisal on the property. He stated that several months prior, Mr. Brazelton had made what he thought was a very generous offer of selling the property to the City for one-half the appraised value. He stated that, as he understood it, the City would have to get an appraisal, and that he believed it would be constructed so that the City would purchase the property from Mr. Brazelton for one-half price, and Mr. Brazelton would get a tax credit for donating the other half.

Councilman Kling stated to Mr. Heard that he was not sure if this matter was still on the table.

Mr. Heard stated that he was not sure about that, but stated that this property was economically unviable. He stated that by virtue of letting this die, there would be nothing else that would go on at this property, that it was going to just sit there.

President Russell stated that the next item on the agenda was Unfinished Business Items for Action.

President Russell moved for approval of Ordinance No. 14-665, Substitute A, adopting the City of Huntsville's

Budget Ordinance for Fiscal Year 2014-2015, which ordinance No. 14-665 was introduced at the September 11, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-665, SUBSTITUTE A)

Said motion was duly seconded by Councilman Kling.

President Russell asked Mr. Randy Taylor, Finance Director, to come to the microphone.

Mayor Battle stated that they were now going into discussion about the 2015 budget. He stated that this budget had total revenue and total expenditure on the operating side of \$245,888,189. He stated that, as they had discussed at the work session on the previous evening, there was approximately \$4.9 million additional in this budget than there had been in the prior year's budget. He stated that with step raises, COLA's, longevity pay, and some items that were on the "necessary" list that had been included in the budget, as well as the "crucial" list that had been included in the budget, this money had been consumed very quickly.

Mayor Battle stated that they would see the same services being provided in the following year as had been provided in the current year. He continued that he believed they were in pretty good shape in the prior year, so that they would continue with the same services. He stated that there were two things added to the budget, with one being on the operating side, which he noted was seven police officers added to the police force, for public safety.

Mayor Battle stated that the second item that was added to the budget was a \$2 million amount that was put in for redeveloping retail corridors in the city. He stated that he believed this would be very important because it would start addressing mainly the Parkway, which was the main retail corridor and would start addressing some of the areas that had changed over time. He stated that as the areas had changed, they had widened, that there were widened amounts of rights-of-way, and as they had widened, they had pushed back against neighborhoods that they backed up to, and this had made some of the buildings functionally obsolete, that they did not work in today's retail market and would sit empty for a long time. He stated that they were looking toward doing those and making them redevelopment sites. He stated that whether they partnered with the owners of the buildings or whether they bought the buildings, they would take down these buildings and turn the areas into redevelopment sites that they would redevelop after the completion of the Parkway, which he noted would be in approximately three or four years, as they finished the "Restore Our Roads" projects.

Mayor Battle stated that they had an extensive plan, addressing some of the areas they felt needed to be addressed. He stated that that was what this budget would do, and that it would still provide for the services that were in place at this time, noting that he believed they had a pretty good set of services.

Mayor Battle stated that he would turn the floor over to Mr. Taylor to provide more details, and then they could discuss it further.

Mr. Taylor stated to the City Council members that the document they had before them was what was presented at the prior Council meeting, noting that it had been updated to reflect a few minor changes. He stated that \$26,000 had been added to the budget, and that this was reflected in the Capital Plan documents that had been presented at the meeting on the previous evening. He stated that, obviously, there were lots of accounts and that they were continuing to tweak those and make some changes. He reiterated that the net change was \$26,000.

Mr. Taylor stated that the Substitute A document they had at this time included Exhibit D and Exhibit E, which were the two budgets for the Capital funds they had discussed on the previous evening and that they were related to the Capital Plan items that were on the agenda, as well.

Mr. Taylor stated that there was nothing substantially different than what was presented at the prior Council meeting, that what had been discussed on the previous evening was these documents.

Mr. Taylor stated that he would be glad to answer any additional questions that any of the Council members might have.

Councilman Kling asked Mr. Taylor what the \$26,000 extra



for Capital was to be used for and where this money had come from.

Mr. Taylor stated that the General Fund had had an increase of approximately \$26,000. He stated that because of the linkage they had explained to the Capital Plan, this actually reduced the Capital resources. He stated that they had not presented the Capital Plans at the prior Regular Council meeting, only the General Fund. He stated that what had been presented at the work session the previous evening was inclusive of this change, that they were not changing anything that had been presented at the work session. He stated that there had been some errors in the budget related to Personnel, and some Operating Costs in the budget. He stated that they had made those changes since the prior Regular Council meeting, and that this was reflected in what had been presented at the work session on the previous evening.

Councilman Kling asked if Mr. Terry Hatfield, Director of Public Works, was in attendance at the meeting.

President Russell asked Mr. Hatfield to come to the microphone.

Mr. Hatfield appeared at the microphone.

Councilman Kling stated that he and Mr. Hatfield had had some discussion. He continued that, as the Council members were aware, for the last five years, they had amended the budget so that two-thirds of the road resurfacing money would go into neighborhood streets, noting that he believed this had

been a good thing throughout the city. He stated that, however, he had discussed this with Mr. Hatfield, and that he had advised him that for the upcoming year, there were some major arterials that needed to be resurfaced, and that were really critical. He stated that Mr. Hatfield was a good salesman, that he had pointed out that some of these arterials were actually basically in residential areas, because they were surrounded by homes on both sides of the road. He stated that it was his understanding that Mr. Hatfield would like to have the money left unmarked for the upcoming fiscal year so that he could take care of these arterials, including the ones that were in, quote, residential areas, such as Drake Avenue and Bob Wallace Avenue.

Councilman Kling asked Mr. Hatfield if that was correct.

Mr. Hatfield replied in the affirmative. He stated that most of the major arterials were five lanes and that the cost for the past year ran approximately \$60,000 for one lane per mile, so that this added up pretty quickly on five lanes. He stated that they had some that needed attention at this time.

Councilman Kling asked Mr. Hatfield if he was promising that he would also keep residential streets in mind, and that, as best he could, he would continue to do these throughout the city.

Mr. Hatfield replied in the affirmative, stating that they were planning on putting a lot into residential streets.

Councilman Kling noted that as Mr. Hamilton had discussed

at the work session on the previous evening, concerning the points that they had for identifying streets, that they were actually improving on this, and that rather than it being in the 50's, they were now down to the upper 40's.

Mr. Hatfield stated that that was correct, that the past group was 45 or better, and that they would be looking at the 40 to 45 range, that they were making some progress.

Councilman Kling stated that they had been very proactive, that he understood they had approximately 13,000 lane miles, or something such as that, in the city. He reiterated that they had been very proactive, plusing up what they had had for the last couple of years. He stated that he believed they had really done a good job.

Councilman Kling stated to President Russell that with that understanding with Mr. Hatfield, he would not make his customary motion, but that he understood that Mr. Hatfield would do as many residential streets and arterials in residential areas as he could.

Councilman Olshefski stated that at the work session the prior evening, he had had some questions concerning the Police and had gotten great answers, that he had some questions about ditches and had gotten great answers, that he had also asked questions on the sales tax and had gotten great answers, that he had had questions on roads, about how the money was going to be spent and what roads would be taken care of, and that he had asked questions about repaving and had gotten that answered,

and that he had asked questions about future economic development, and had gotten that answered, as well.

Councilman Olshefski stated that, however, there was one piece he did not get, and that he would go into that at this time. He stated that they had had a great outfit called "Sci-Quest" that was in Huntsville, had been in Huntsville, and had never left Huntsville. He stated that there was a period of about two years where persons had thought they were going to leave, and that when they thought they were going to leave, the City had gone from giving them approximately \$150,000 a year down to \$25,000 a year, and then in the prior year, down to nothing. He stated that he had fully supported Mayor Battle during the process of no new adds two years prior, as well as the prior year, but that he did not consider this a new add. He continued that the Mayor's budget had no new adds in non-profits but stated he did not consider this a new add.

Councilman Olshefski moved to amend the budget in the General Fund to establish an appropriation for the North Alabama Science Museum, called "Sci-Quest," in the amount of \$25,000, and in the Capital Improvement fund to decrease the appropriation to Fleet Capital in the amount of \$25,000.

President Russell asked if there was a second to Councilman Olshefski's motion.

There was no response.

President Russell stated that the motion had died for lack of a second.

Mayor Battle stated that they would look mid-year at what Councilman Olshefski was asking for. He stated that that was one he would have liked to have done, but they could not do it.

President Russell asked Chief Morris to come to the microphone.

Chief Morris appeared at the microphone.

President Russell asked Chief Morris what the seven additional officers would do for the Police Department and how this would benefit the citizens.

Chief Morris stated that seven additional officers would add, effectively, another squad. He continued that they had some long-range plans. He stated that the prior summer they had conducted a detail they called a "Street Crimes Unit," and that it had focused on specific areas, and was flexible. He stated that these seven people would give them some flexibility, where they would be able to assign personnel in specific areas, at specific times, to address specific issues. He stated that the times and the dates would rotate, that it would just give them more flexibility to quickly address issues, without having to pull resources out of the field and impact their ability to respond to calls.

President Russell stated to Chief Morris that he assumed this would lower overtime costs.

Chief Morris stated that they were still going to do the same work, but this would give them the opportunity to do even more work. He stated that, however, he was not sure that this

would lower the overall amount of overtime.

President Russell asked Chief Morris if he was getting enough money to keep the citizens and the city safe.

Chief Morris replied in the affirmative. He stated that this was the first time they had added personnel in a while.

President Russell stated that they just wanted to make sure that public safety was their number one priority, and they budgeted that way. He stated that Chief Morris was telling them that they had.

Chief Morris stated that this had been in the discussions he had had.

President Russell asked if there was any further discussion.

There was no response.

President Russell called for the vote on Ordinance No. 14-665, Substitute A, and it was unanimously adopted by the Council members present.

President Russell stated that the budget had passed and congratulated Mayor Battle.

President Russell moved for approval of Ordinance No. 14-666, authorizing a one percent (1%) cost of living adjustment (COLA) to all eligible employees of the City of Huntsville, effective October 1, 2014, which ordinance was introduced at the September 11, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-666)

Said motion was duly seconded by Councilman Olshefski.

President Russell asked if there was any discussion of this item.

There was no response.

President Russell called for the vote on the above ordinance, and it was unanimously adopted by the Council members present.

President Russell stated that, with the Council's permission, he would like to take items 15.bb, Resolution No. 14-723, and 15.cc, Resolution No. 14-724, out of order, noting that they were dealing with the Capital Plans.

President Russell read and introduced a resolution approving the City of Huntsville 1990 Capital Improvement Plan, 2015-2024, as follows, as follows:

(RESOLUTION NO. 14-723)

President Russell moved for approval of the above resolution, which motion was duly second by Councilman Kling.

President Russell asked Mr. Taylor to comment on the above resolution.

Mr. Taylor stated that the Council had just approved the Budget, which he noted included the authorized spending for the upcoming fiscal year. He stated that the Capital Improvement Plan was a 10-year document which was required to show what the City's goals were with respect to Capital projects, as listed in the plan, over the next 10 years. He stated that this was for the 1990 Plan, the one that had been around for 24 years.

He stated that they were really not establishing budgets for this but were expressing the City's intention with respect to all of its Capital Plan.

President Russell asked Mr. Taylor if he would mention some of the highlights of the Plan.

Mr. Taylor stated that Mayor Battle in his comments had touched on this. He stated that it included in the 1990 Plan a significant amount of funding for drainage improvements throughout the city, and that it also had money for recreation and new community projects, and open space acquisition. He stated that John Hunt Park improvements were funded on an annual basis, and that the expansion of Merrimack Park was funded. He stated that for most of the 10 years of the plan, they had projects related to public libraries, the Tennis Center expansion, the corridor redevelopment that the Mayor had mentioned, improving some facility critical systems at the Von Braun Center. He stated that Fleet Capital was something that was very needed in the budget, and that this would allow \$3 million to be spent on that.

Mayor Battle stated that this was total projects of \$24,709,000, noting that these were mainly projects that had been in the Plan for the past 10 years, and that slowly and surely they had moved forward to a time when they had their plans so that they would spend that amount, that many of them had finally gotten to fruition, and it was time to spend that money. He reiterated that this year's budget was \$24 million,



and that throughout the term of it, it would go up to \$37 million at some point, and all the way down to \$15 million. He stated that it varied as the money was available and as the projects hit.

Councilman Kling stated that one highlight was that road resurfacing was going up every year, that it was up over \$4 million annually, noting that this was a real good thing.

President Russell called for the vote on Resolution No. 14-723, and it was unanimously adopted by the Council members present.

President Russell read and introduced a resolution approving the City of Huntsville 2014 Capital Improvement Plan, 2015-2024, as follows:

(RESOLUTION NO. 14-724)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski.

President Russell asked Mr. Taylor if he would explain the above resolution and explain why they had two Capital Plans.

Mr. Taylor stated that, as with the other Plan, the City had a document that expressed what its intentions were with respect to long-term infrastructure development, and supporting the city in a variety of other ways. He stated that this new Plan had been established in the early part of the current year, and that it was being funded exclusively by the new 1 percent sales and use tax. He stated that this was the plan

that was providing the funding for the City's share of the "Restore Our Roads" program that the City had with the State of Alabama. He continued that it also funded a variety of other road and economic development projects. He stated that that was what this plan exclusively consisted of.

Mr. Taylor reiterated that this was all being paid for with the new tax revenue. He stated that it would fund the "Restore Our Roads" program from 2015 to 2018, and that there were a lot of other City capital road projects in there after that, as well as projects they would commence within the next couple of years.

President Russell asked Mr. Taylor it was correct that if a citizen wanted to see what the new 1 percent sales tax would go to, they could just find this budget on the City's web site and see this.

Mr. Taylor stated that that was correct, that when the final budget document was produced, it would have two plans in it, and the plans would list every one of the projects that were being funded with this.

President Russell asked Mr. Shane Davis to come to the microphone.

President Russell asked Mr. Davis if he would hit the highlights of the 2014 Capital Improvement Plan.

Mr. Davis stated that, as Mr. Taylor had stated, the 2014 Plan consisted mainly of roads and economic development. He stated that if one looked back at the roads that they had

had slated for the upcoming 10 years in the prior year's Capital Plan, they had now adequately funded these through the 1 percent sales tax. He continued that they were now in the 2014 Plan, fully funded.

Mr. Davis stated that in addition to that, there were five new projects that totaled \$250 million. He stated that this was the ALDOT 50-50 agreement. He stated that the majority of the 1 percent sales tax that had been passed earlier in the year would be going to fund the \$250 million worth of road projects. He stated that in 2019, there would be the last funding agreement with ALDOT, and then it would be heavy on localized streets.

Mr. Davis stated that the Capital Plan at this time had the current roads in it from the prior year's budget that they could adequately fund, and that as they started paying that and having a better realization of the tax coming in off this, they would be adding many more new localized road projects.

Mr. Davis stated that the remaining balance of this would be for economic development, noting that this was for job growth, helping to bring future retail development into the city, and creating more jobs like they had with Boeing, Remington, and GE Intelligent Platforms, to bring job opportunities to the citizens.

President Russell asked when the citizens would start seeing the impact of this tax, when some of the construction projects would actually start.

Mr. Davis stated that the first State project had been let, had been awarded, and that was 72 East. He stated that construction should start within the next 30 to 45 days. He stated that that was from 72 East, from Chapman Mountain, to Shields Road. He stated that the South Parkway overpasses were bid in March, and the North Parkway overpasses would be bid toward the end of the year, so they probably would not see actual construction on that until 2016. He stated that most likely in the summer of the following year there would be heavy construction on South Parkway. He stated that all projects were under design in some fashion. He stated, concerning Highway 72 West, they had already had public hearings, that this had been in the prior week, for the public to review the plans, and that they were going forward with that.

Mr. Davis stated that everything was on track and on schedule, as they had promised the public when the plan had been passed.

President Russell asked if there was any further discussion on this matter.

Councilman Kling asked Mr. Taylor if once these budgets were placed on the City web site, Ms. Schrimsher could put out a release so that the public would know about it, and the media would pick it up and let the public know about this being available for the public.

Mr. Taylor stated that he was sure they could do that.

Mayor Battle stated that they would do this as quickly as

they could.

President Russell asked if there was any further discussion of this matter.

There was no response.

President Russell called for the vote on Resolution No. 14-724, and it was unanimously adopted by the Council members present.

Mayor Battle stated that Mr. Taylor, Mr. Davis, and Mr. Hamilton had done a marvelous job on this, that they had pulled together a budget he felt everyone could be proud of. He thanked them for all their hard work on this. He stated that these were persons that could be trusted, and that he appreciated the trust the Council showed in them.

President Russell moved for approval of Ordinance No. 14-681, annexing land lying on the south side of Parsons Road and east of Hobbs Island Road, which ordinance was introduced at the September 11, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-681)

Said motion was duly seconded by Councilman Olshefski.

President Russell recognized Ms. Ashley Nichols of the Planning Division.

Ms. Nichols stated that this proposed annexation was approximately .61 acre of property, and that it was located on the south side of Parsons Road and east of Hobbs Island Road. She stated that the property had a single-family, detached

dwelling, and that the property owner would like to request annexation for City services.

President Russell asked if there was any further discussion on this matter.

There was no response.

President Russell called for the vote on the above ordinance, and it was unanimously adopted by the Council members present.

President Russell moved for approval of Resolution No. 14-682, electing out of the Alabama Tax Tribunal, which resolution was introduced at the September 11, 2014, Regular Council Meeting, as follows:

(RESOLUTION NO. 14-682)

Said motion was duly seconded by Councilman Kling.

President Russell asked if there was any discussion of this matter.

Councilman Kling asked if they could get an explanation of this resolution again, similar to what they had had at the prior Regular Meeting of the Council.

President Russell asked Mr. Randy Taylor to come to the microphone.

Mr. Taylor appeared at the microphone.

President Russell asked Mr. Taylor if he would again explain why they were electing out of the Alabama Tax Tribunal.

Mr. Taylor stated that the State had established a new process by which taxpayers could appeal tax matters they had

with the City. He stated that he had explained to the Council previously that if the City ever believed a taxpayer owed additional tax to the City, then the taxpayer would have two rights of appeal. He continued that the first appeal was always with the City, and then there was a final appeal the taxpayer had the opportunity to make, and that that was currently done locally, in the City, that each local government would hear such cases locally, by an independent hearing officer. He continued that the independent hearing officer's decision was binding with respect to whatever the matter was.

Mr. Taylor stated that the State had established a new process whereby the State and all local governments would now have these final appeals heard through a single system. He stated that all local governments had the opportunity to participate in this.

Mr. Taylor stated that this was a good thing for the taxpayers, that it made it more efficient and that there would be a single entity that would handle these matters.

Mr. Taylor stated that the City had had very few final appeals in its history, noting that they tried to work these things out before they got to that stage.

Mr. Taylor stated that the Alabama Tribunal did not cover all the taxes the City levied, and that in the cases where they had had final appeals, the tax in question would not have been covered by the Tribunal, anyway. He stated that with one of the taxes the taxpayer had had, it would have been a split

issue, so that they would have been dealing with the State system for one tax, and then they would still have to have a local, independent hearing to handle the other part of it. He stated that that would not be efficient.

Mr. Taylor stated that for the time being, since they did not have very many hearings, they had decided that it would be in their best interest, and for the taxpayers also, that they continue to do what they were doing concerning this at this time. He stated that if circumstances changed, they could always participate in the Tax Tribunal going forward.

Mr. Taylor stated that there were other things that were part of the new State process, and that they would be compliant to work with the new Commission in that regard, but that for purposes of hearings, they just did not believe it was going to work for them at this time.

President Russell asked if there was any further discussion of this matter.

There was no response.

President Russell called for the vote on Resolution No. 14-682, and it was unanimously adopted by the Council members present.

President Russell stated that the next item on the agenda was New Business Items for Introduction.

President Russell read and introduced Ordinance No. 14-725, annexing land lying west of Zierdt Road and on the east side of Arnett Road.



President Russell read and introduced Ordinance No. 14-726, amending Article II, Sections 9-36, 9-44, and 9-50 of Chapter 9, Cemeteries, of the Code of Ordinances.

President Russell asked Ms. Joy McKee to come to the microphone.

Ms. McKee appeared at the microphone.

President Russell asked Ms. McKee for an explanation of the above ordinance.

Ms. McKee stated that these were three different amendments to be made, noting that the first one had to do with actually Block 36 in Maple Hill Cemetery and Block 9 in Northside Cemetery. She stated that these were spaces that were given to those who lost their lives while serving on foreign soil in the United States Armed Forces. She stated that currently 108 spaces had been given, but only 57 spaces had been used. She stated that what they were seeing with the families was that it would be a young soldier that passed away, and they were buried at Maple Hill or Northside, and then six spaces were given to that family, but the spaces were never used.

Ms. McKee stated that they wanted to change the ordinance and make it two spaces to be given to the family, the person who passed away, that served in the military could be buried, and then a remaining family member could also be buried there. She stated that they felt like this would be a good way to use their spaces, and then for years and years to come, anyone who

died on foreign soil while serving in the military would have a space.

Ms. McKee stated that the second amendment had to do with the cemetery service fees. She stated that it had been since 2001 that they had not had an increase in the service fees. She stated that the fees would be for interment of caskets, disinterment, and other fees they currently had that were in the ordinance. She stated that it would also have to do with the marker foundations and property transfer fees.

Ms. McKee stated that they had a new fee they would be added to this, called a "vacancy burial fee." She stated that especially in Maple Hill, they had some property where members of the family would come back and say, "We have a claim to this property," and they could prove their lineage all the way back. She stated that when they did this, they would still have a property where they would not know for sure whether or not someone was buried there. She stated that they were asking that if the property had to be dug, there would be some sort of a fee for this, a fee in the amount of \$200, to make sure that the property was not occupied. She continued that, certainly, if they proved they did own the property, then they could sell it, and then the person that purchased it might have trouble later on.

Ms. McKee stated that since they had not had an increase in all these years, it was costing the City a tremendous amount of money to take care of the cemeteries. She stated that when

she had started looking at this, she had gotten advice from Mr. Hamilton and had asked him if she could have a City auditor do an audit. She stated that there had been an independent audit, and that the person who had done this was present if the Council members would like to ask her any questions.

Ms. McKee stated that she had looked at other cemeteries, not only in the area, but in Madison, Mobile, and all the other municipalities that had cemeteries such as Huntsville's, to determine what they charged. She stated that how they had come up with what they would actually be increasing to was they said that they would do an average of all the ones that had been audited, and that that was what they had done to arrive at the fees they were currently looking at.

Ms. McKee stated, concerning the last item, that currently it cost \$1800 to buy a lot. She stated that there were very few lots left at this time, but as the Council members were aware, they would be having more lots in the next six to eight months. She stated that they were asking the Council to allow them to charge \$2500 per lot. She stated that this was certainly in keeping with Valhalla and other spaces that were being sold, and at Memorial Gardens, and different places in the city.

Ms. McKee stated that these were the three amendments that they were bringing before the Council.

Councilman Kling stated to Ms. McKee that he understood what she was talking about concerning the first amendment, what

she wanted to do to make it more efficient, so that there were not unused lots, but stated that he had concern about a veteran dying, giving their life, the ultimate sacrifice, on foreign soil, and if there happened to be a circumstance where more than one family member would want to be buried at the location. He asked if there would be some way, perhaps some set-aside of lots, that could be kept where this might could be worked out.

Ms. McKee stated that if the ordinance was drafted the way it was, it would only be two lots. She stated that they were not seeing very many people come back. She stated that, in fact, two persons had contacted them during the current week and stated that they still had lots there but did not intend to be buried there and to please give them to persons who might use them.

Ms. McKee stated that it would be very hard to say they would do something for some and not for others. She stated that they had looked all over the nation and had found that this was what most cemeteries were doing, offering two lots to the military.

Councilman Kling stated that he would not like for them to do anything that would even be perceived as they were cutting back on what they were doing for the military.

Ms. McKee stated that she had talked with veterans' groups, several in the veterans' groups, and that none of them had a problem with it, that they were all in agreement that this was fair, and that they hated to see these lots that were

not used. She stated that they had people that had been in the Korean War, and that those lots could never be recovered, that they would just always be empty.

Councilman Kling asked if there was any way they could place some sort of a time limitation on this.

Mr. Hamilton stated to Councilman Kling that he believed what they would find was that the policy Ms. McKee was proposing would make them more consistent with the manner in which the national cemeteries were managed. He stated that what he would like to do would be to take the opportunity to confirm that what he was saying was accurate and come back to him prior to the vote on this matter, which he noted would be at the next Council meeting.

Councilman Kling stated to Mr. Hamilton that maybe he could determine some creative way that they might be able to do what he had been pointing out, where there might be some set-aside lots if they were requested. He stated that perhaps something along this line could be done. He stated that he just wanted to make sure they looked at every option concerning this matter, and that they were not cutting back on these folks.

President Russell stated that the next item on the agenda was New Business Items for Consideration or Action. He stated that the Council had already approved item 15.bb, Resolution No. 14-723, and item 15.cc, Resolution No. 14-724.

President Russell read and introduced a resolution

authorizing the Mayor to enter into an Agreement between the City of Huntsville and the U.S. Department of Justice for the FY2014 Edward Byrne Memorial Justice Assistance Grant, as follows:

(RESOLUTION NO. 14-727)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell moved for approval of a request for authorization to advertise and fill vacant Equipment Service Worker position, at higher than minimum salary, if necessary, in the Fleet Services Division, which motion was duly seconded by Councilman Kling and was unanimously approved by the Council members present.

President Russell read and introduced an ordinance amending Budget Ordinance No. 13-630 by changing appropriated funding within various departments and funds, as follows:

(ORDINANCE NO. 14-728)

President Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the acceptance of donations, as follows:

(RESOLUTION NO. 14-729)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling

and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to enter into a Financial Advisory Services Agreement between the City of Huntsville and Public Financial Management, Inc., as follows:

(RESOLUTION NO. 14-730)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to enter into an Agreement between the City of Huntsville and the Alabama Department of Transportation for Cooperative Maintenance of Public Right-of-Way for the existing service road in the state right-of-way along U.S. Highway 72 from Milepost 90.730 to Milepost 90.730, and to maintain 46 LF of slotted drain pipe, Project No. 65-14-SP55, as follows:

(RESOLUTION NO. 14-731)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution amending the contract between the City of Huntsville and Reed Contracting Services, Inc., for North-South Connector Road, Base Bid and Option No. 1 and Option No. 2, Project No. 65-11-RD01, by Change Order No. 1, as follows:

(RESOLUTION NO. 14-732)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and A&S Appraisal Company, L.L.C., for Appraisal Review Services for Zierdt Road Improvements, State Project No. STPHV-8507(600) and 65-06-RD01, as follows:

(RESOLUTION NO. 14-733)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 1 to the agreement between the City of Huntsville and Goodwyn, Mills and Cawood, Inc., for Engineering Design Services for Wynn Drive Relocation, Project No. 65-14-RD02, as follows:

(RESOLUTION NO. 14-734)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and OMI, Inc., for Construction Materials Testing Services for Research Park Lake 5 Expansion, Project



No. 65-14-DR02, as follows:

(RESOLUTION NO. 14-735)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Graver, L.L.C., for Engineering and Land Surveying Services for Research Park Lake 5 Expansion, Project No. 65-14-DR02, as follows:

(RESOLUTION NO. 14-736)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to execute modification No. 4 to the agreement between the City of Huntsville and Johnson & Associates Consulting Engineers, L.L.C., for Engineering Design and Construction Administration Services for Carmichael Park, Project No. 65-12-DM25, as follows:

(RESOLUTION NO. 14-737)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the

City of Huntsville and InterLinc Mortgage Services, LLC, as a Participating Lender for the Down Payment Assistance Program, as follows:

(RESOLUTION NO. 14-738)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to execute an agreement between the City of Huntsville and Family Services Center, Inc., for Housing Counseling Program, as follows:

(RESOLUTION NO. 14-739)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to approve and submit the 2013 Consolidated Annual Performance and Evaluation Report (CAPER), as follows:

(RESOLUTION NO. 14-740)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 1 to the agreement between the City of Huntsville and Family Services,

Inc., to change property address, as follows:

(RESOLUTION NO. 14-741)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to execution Modification No. 2 to the agreement between the City of Huntsville and Family Services, Inc., to change property address, as follows:

(RESOLUTION NO. 14-742)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell moved for approval of a request for authorization to advertise and fill the position of Zoning Enforcement Coordinator at higher than minimum salary if necessary, which motion was duly seconded by Councilman Kling and was unanimously approved by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 1 to the agreement between the City of Huntsville and the Huntsville-Madison County Mental Health Center to provide public transit services, as follows:

(RESOLUTION NO. 14-743)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling

and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the City of Madison to provide dispatching and scheduling services for the MARS program, as follows:

(RESOLUTION NO. 14-744)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the Board of Trustees of the University of Alabama Huntsville to provide public transit services, as follows:

(RESOLUTION NO. 14-745)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

President Russell read and introduced a resolution concerning 5-year extension of Rights-of-Way Use Agreement with Mediacom Southeast LLC (Ordinance No. 09-665, Substitute A), as follows:

(ORDINANCE NO. 14-746)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling

and was unanimously adopted by the Council members present.

President Russell read and introduced an ordinance dedicating rights-of-way and utility and drainage easements for Mastin Lake Road Improvements, as follows:

(ORDINANCE NO. 14-747)

President Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

Councilman Kling read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and Beason & Nalley, Inc., for the Fiscal Year 2014 independent audit, as follows:

(RESOLUTION NO. 14-748)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Olshefski.

President Russell recognized Mr. Randy Taylor.

Mr. Taylor appeared at the microphone.

President Russell stated that he had questions concerning hiring Beason & Nalley for the independent audit. He asked how long the City had used Beason & Nalley.

Mr. Taylor stated that it had been a very long time, for all of the 15 years he had been with the City, and that it also went back prior to that time. He stated that they chose them, No. 1, because they had a long-term relationship with the City and knew a lot about them, which he noted was very important in

auditing. He stated that there had been other firms that had expressed interest in this, but they were very pleased with the services that Beason & Nalley provided, and the cost at which they provided them. He stated that during the recession, they had reduced their fees by 10 percent, at the City's request, and they had kept it at that level since that time. He stated that they did a professional job, that they were a premier firm, and that they were satisfied with the work they did and wanted to continue with them.

President Russell stated that he was certainly pleased with Beason & Nalley and felt they did a great job, but that his concern was with using the same auditor for many, many years. He asked if that was the best practice.

Mr. Taylor stated that he understood President Russell's question. He stated that their professional standards were such that they had to cover all the bases, just as any firm would. He stated that there were persons who suggested that this be rotated on a regular basis, and there were some that stayed with their auditors for a long time. He stated that he believed most did have a longer term relationship. He stated that he did not believe the quality of their work was any less because they had been the City's auditor for a long time, that he thought it was better.

President Russell asked if they sent different people to come look at the City's books or if it was the same person every time.

Mr. Taylor stated that they had had some rotation. He continued that the management team had been the same for a while, but they had had a number of different auditors involved, over the course of many years.

President Russell called for the vote on Resolution No. 14-748, and it was unanimously adopted by the Council members present.

President Russell read and introduced Resolution No. 14-749, authorizing the Mayor to execute Modification No. 1 to the original Office Lease Agreement (Resolution No. 13-127, dated February 14, 2013), between the City of Huntsville and Huntsville Utilities, for the purpose of amending to allow for an early termination of the lease.

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Russell asked Councilman Olshefski if he wished to abstain from voting on this resolution.

Councilman Olshefski replied in the affirmative.

Councilman Kling moved to postpone consideration of the above resolution until the next Regular Meeting of the Council.

Mayor Battle stated that he believed that would be fine, that it could be held until the next Council meeting, when the full Council would be present.

Councilman Kling's motion died for lack of a second.

President Russell stated to Mr. Joffrion that, obviously, the Council could not vote on the postponement, and asked if it

would automatically come up at the next Council meeting if the Council took no action on this.

Mr. Joffrion stated that Councilman Olshefski could vote on the motion to postpone this item, that it was not an affirmative vote on a substantive issue, that it was just a procedural vote.

Mr. Joffrion stated that, however, if the Council did not vote on the Motion to Postpone, the resolution could be placed on the next Council agenda.

President Russell stated that he would feel more comfortable with just placing the resolution on the next Council agenda.

Mayor Battle stated that, for the Council's knowledge, this was \$150,000 per year, for five years, and that there was an early termination on it, so that if they ever found funding for bringing all those services together in a new building, they would be able to get out of the lease at that time. He stated that, however, he felt that most likely they would be there five years.

Councilman Kling read and introduced a resolution authorizing the Mayor to execute a First Amendment to Non-Recourse Promissory Note between the City of Huntsville and Lowe Mill Capital, LLC, as follows:

(RESOLUTION NO. 14-750)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by



Councilman Olshefski.

President Russell asked Mr. Joffrion for an explanation of the above resolution.

Mr. Joffrion stated that this resolution, item 15.z, Resolution No. 14-750, and the next resolution on the agenda, item 15.aa, Resolution No. 14-751, were related, and that they were in connection with the Mirabeau Multi-Family Housing Development and the transfer of ownership regarding this development.

Mr. Joffrion stated that, as the Council members might recall, the City had entered into an agreement with Dave Greenberg and Lowe Mill Capital, LLC, some time ago to, hopefully, over a period of time, effect an ultimate transfer of the interest in Mirabeau from the current owner to Mr. Greenberg. He stated that at that time, the City had assigned whatever interest it had in a promissory note that it had to pay to Cadence Bank.

Mr. Joffrion stated that since that time, Mr. Greenberg had been working with the current owner on a purchase and sale scenario. He stated that they had entered into an agreement for the purchase and sale of the property in July of 2014, and that as conditions to that sale, the current owner had asked the City of Huntsville to enter into a mutual release, whereby the City would release the current owner from any potential obligations he might have, and he would release the City of Huntsville for any potential obligations it might have, to each

other, relative to the outstanding promissory notes, loans, or potential responsibility to the Department of Housing and Urban Development.

Mr. Joffrion stated that he realized this was kind of a complicated morass of issues. He stated that the release was the second item concerning this matter on the agenda, that this first item was the promissory note, an amendment to a promissory note the City Council had approved earlier, for Mr. Greenberg and Lowe Mill Capital, Inc., in the amount of \$200,000. He stated that this increased the promissory note to \$350,000, an increase of \$150,000. He stated that this note would be paid back, and that it was to cover additional expenses that had been incurred since the date of the original transaction.

Mr. Joffrion stated that he would be happy to answer any questions the Council members might have concerning this matter.

President Russell stated that his question was why they were doing this.

Mr. Joffrion stated that he had hoped to have answered part of that in his previous explanation.

President Russell stated that he did not like doing this previously, and that he still not understand why they were doing it.

Mayor Battle stated that he understood President Russell's concern, noting that he believed they were all asking

themselves why they were doing this. He continued that they wanted to get out of this situation, noting that it had been since 1992 that some of this process had been working through the City. He stated that their job was to get it behind them so that they could move forward and get those residential units back to serving the purpose they were supposed to serve, which was being apartments that were decent in the city of Huntsville.

Mayor Battle stated that they certainly hoped Mr. Greenberg could do that, noting that they did not believe the present owner could do that. He stated that if they did not move to that stage, they would never be able to rehab those apartments and move forward with the project. He stated that this was not the best outcome they could have, but it was the only outcome that was available at this time.

Mr. Joffrion stated that, more specifically with regard to the amount of money, there had been expenses such as property taxes for the past three years for the property, noting that this was in excess of \$50,000 per year. He continued that there had also been a number of legal expenses that the City would have had to have incurred if they had retained ownership of the promissory note and sought to enforce their rights under the note which they had paid off to Cadence Bank. He stated that the proposed purchaser had assumed obligations that the City of Huntsville would have had to have paid, and that he was using the monies under the promissory note to satisfy these

obligations.

President Russell asked if it was correct that he would pay back the City of Huntsville.

Mr. Joffrion replied in the affirmative.

Councilman Kling stated that Mr. Greenberg had a good track record as a developer, and that he had worked with Phil Dotts, whom they all knew, so that Mr. Dotts was familiar with his work. He stated that one of the projects that he had done was the Russel Erskine Hotel Apartments, noting that this was an old hotel that had been sitting there for a while, and he had developed it, and it was a positive for downtown and a positive for the senior citizen community. He stated that hopefully he could work that magic on the subject property, as well.

President Russell asked if there was any further discussion on this matter.

There was no response.

President Russell called for the vote on Resolution No. 14-750, and it was unanimously adopted by the Council members present.

Councilman Kling read and introduced a resolution authorizing the Mayor to execute a Mutual Release and Agreement among the City of Huntsville, Mirabeau Gated Community, LP, and Gary M. Reynolds, as follows:

(RESOLUTION NO. 14-751)

Councilman Kling moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Olshefski.

President Russell asked Mr. Joffrion why they wanted to do that, noting that in his experience, one usually did not want to give a mutual release to someone who had done one wrong and one did not trust. He asked why they would want to do this.

Mr. Joffrion stated that the essence of this release that the current owner had requested was in connection with whatever responsibility the City might ultimately have to the Department of Housing and Urban Development. He stated that, as the Council members might be aware, they had some unresolved issues with HUD with regard to some program monies that were used for this property over the past 20 years, some of which did not involve the current owner at all, and had preceded him by some 10 years. He stated that the current owner did not want to be responsible for any of those obligations, noting that he was not certain he ever would be.

Mr. Joffrion stated that if the City was ultimately responsible to pay back monies to the Department of Housing and Urban Development, the current owner did not want the City to then attempt to come after him and pursue some sort of reimbursement because HUD would have determined that some of the program funds were either ineligible or not properly documented.

President Russell asked if it was correct that that would be the City's fault if that happened.

Mr. Joffrion replied in the affirmative.

President Russell asked if it was correct, then, that they were not going to pay for anything that was the current owner's fault.

Mr. Joffrion replied in the affirmative.

President Russell asked if there was any further discussion on this matter.

There was no response.

President Russell called for the vote on Resolution No. 14-751, and it was unanimously adopted by the Council members present.

President Russell stated that the next item on the agenda was Legal Department Items/Transactions.

President Russell read and introduced an ordinance authorizing the vacation of a Utility and Drainage Easement, Resource Center Research Park (Attitude, LLC), as follows:

(ORDINANCE NO. 14-752)

President Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Kling and was unanimously adopted by the Council members present.

Mr. Joffrion submitted the following deed for approval:

(DEED)

Whereupon, President Russell moved for approval of the foregoing deed, which motion was duly seconded by Councilman Kling and was unanimously approved by the Council members present.

President Russell stated that the next item on the agenda was Non-Roster Communications from the Public.

Mr. Jerry Cox, 4029 Telstar Circle, appeared before the Council, stating that, as he had stated at the prior Council meeting, they were now 13 years from the event of 9-11, and they still had soldiers dying in Afghanistan. He stated that since the prior meeting of the Council, three military personnel had died in Afghanistan, one United States Marine, one United States Army soldier, and one United States Navy sailor. He continued that now they were going to war again in Iraq, as well as going to war in other countries. He stated that he certainly hoped he would not be reporting on military deaths in those countries.

Mr. Cox stated that there were two items that he hoped were not in the Capital Improvement Plan, with the first one being the "Bridge to Nowhere" that was proposed on Church Street, just west of the Municipal Building, and the second one being the purchase of residential property for sports fields adjacent to the soon-to-close McDonnell Elementary School.

President Russell asked if anyone else would like to address the Council.

Dr. Clarence Johnson again appeared before the Council, stating that he was thankful that the budget would be placed on line where the community could access it. He stated that he was still concerned about the 1 percent sales tax. He stated

that he understood when Mayor Battle had been asking the City to vote for this that \$125 million per year for five years would go to the State for the roads, noting that that was a good thing. He continued that he understood this would leave \$9 million at least. He stated that Mr. Taylor had just stated that there was \$250 million for roads and asked if this included the \$125 million from the sales tax and another \$125 million coming out of it. He stated that he knew that this would be paid off in five years. He continued that they would have 34 plus million dollars per year. He stated that there was economic development to draw industry into the city, and that that was a good thing.

Dr. Johnson stated that he was not sure he had heard anything about development in North Huntsville. He asked if the projected growth activity would be on line and accessible to the community.

President Russell stated that all the projects would be on line, that they would be listed, and that, additionally, the Council voted on these projects, so that persons would see the contracts on the Council agenda, and that persons could attend the meetings when these items would be voted on, if they so desired.

Ms. Jackie Reed again appeared before the Council, stating that she had been the only citizen present at the work session concerning the budget the previous evening. She continued that she was very sad that everyone in the city was not interested



in this.

Ms. Reed stated to Mr. Olshefski that she agreed with him that they should have found some money for Sci-Quest, noting that it was an educational system, and that she could not believe he could not get a second for his motion concerning this, that no one took an interest in this. She stated that they found money in the City for anything they wanted to. She stated that they sat up there and talked about economic development and said that all these properties needed to be done. She stated that they could not buy businesses into the city, that they could not pay this money.

Ms. Reed asked if the City was going to borrow more money, noting that she had heard that they might be borrowing \$70 million. She asked that they not borrow any more money.

Ms. Reed stated that if the developers wanted their businesses and their property fixed up, the Council should draw up an ordinance and make these persons fix up their properties, just like they did the residents' houses. She stated that they should use some common sense in this government. She stated that she had heard that a small business downtown had asked for a little help, and he had been told he could not have any help, that they did not do that. She stated that they did anything they wanted to for anybody.

Ms. Reed stated that she was not through with the Stone Middle School matter.

Ms. Reed stated that Gary Reynolds had stolen City money

and that they had released him. She stated that she had heard he had left the country. She stated that she had thought the City had a lawsuit against him, noting that he took money from Councilman Kling's district to build the Mirabeau Apartments, and then all of a sudden he could not even pay the taxes on it. She stated that that was going to be a big deal.

Ms. Reed asked why they did not take Community Development money and go in the neighborhoods and help poor folks fix up their homes rather than building one or two brand-new houses and letting a big developer take all the money and run with it and feel good about it. She asked if Gary Reynolds was still in the country, if anybody could answer this. She stated that they had released him. She continued that she had heard they had a lawsuit against him.

Ms. Reed stated that she got all her information from the public, and the employees.

Ms. Reed stated that she wanted to know more about Gary Reynolds and she wanted to know all about Stone School. She stated that it was torn down because of the connection to the City. She stated that the contract said that they bought four acres, and that now they were tearing it down to develop it for Randy Schrimsher.

Councilman Kling stated that all of Stone was not being torn down, that approximately 10 percent of it was, and it was part of the development plan. He reiterated that he felt this was a very good project for West Huntsville.

Mr. Ruben Cable, 616 Royal Oak Drive, appeared before the Council, stating that he was appearing on behalf of his mother. He stated that he was trying to find out if the City had any kind of programs or provisions, et cetera, for her. He continued that she was 80 years old, that she lived by herself, and that she was on dialysis. He stated that he lived out of state, but that he tried to take care of his mom, and that his daughter helped out.

Mr. Cable stated that she had had a hole that popped open in her yard, and that he had fallen through the hole. He stated that his mother had actually stepped on the spot where the hole was, but that it did not open up. He continued that she weighed less than 100 pounds. He stated that when he had stepped on the hole, it was just like a millisecond, and he was in it.

Mr. Cable stated that he had called the City concerning this to determine if he might be able to get some sort of help for her, and they had come and looked at the hole. He stated that if the hole had opened more on him, he would have been gone, or that if it had opened up on his mother, she would have been gone. He stated that as small as she was, the hole was big enough for her to fall through, and that it was more than 17 ½ feet deep, filled with at least four feet of water. He stated that either one of them could be gone.

Mr. Cable reiterated that he was attempting to get some help for his mother, noting that she was in the hospital at

this time. He stated that he had just gotten into town. He stated that he had dual residence, that part of his residence was in Indiana because of his wife's child. He stated that they were from Huntsville, that they had a house here, and that he had taught school in the city, that he had worked at Stone. He continued that he loved Stone and he hated that it was gone, that it had been his home.

Mr. Cable stated that it saddened him that his mom had to sit up in the hospital and worry about if her house was going to fall through. He stated that persons had heard of houses falling through in Florida, and stated that his mother's was probably going to fall through, noting that she had had another hole to develop at a different location. He stated that when the persons had come out to look at the hole, one of them had dropped his flashlight down in it, and that he had had to come back the next day and get it. He continued that it was floating in the water, still turned on. He stated that there was a cactus in his mother's yard that had been there for more than 30 years, and that it had fallen over into the yard.

Mr. Cable stated that there had been a hole to open up when he was in high school, approximately 40 years prior, and that that hole was so wide one could put a truck in it, and that it was 20-feet deep. He stated that the City had filled it up twice.

Mr. Cable stated that he was looking for some help on this matter. He stated that he did not want his mother to decide

that she wanted to walk across her yard. He stated that her yard was sinking, that there were holes that were opening up, and he did not want her to walk out in her yard and fall through one of these holes, and he would not have his mom anymore. He reiterated that he was looking for some help on this matter.

President Russell stated he was not sure how they could help since it was private property, but they would find out.

President Russell asked Mr. Shane Davis if he could get the address from Mr. Cable.

Pastor T.C. Johnson, 1800 Sparkman Drive, appeared before the Council, stating that he wanted to go back to his earlier question concerning the relationship between the City and the private owner. He asked how this would be working, with a private owner and the City on the same territory, and it appeared that the City was clearing the property. He asked if the private owners were going to be paying some for the clearing. He stated that he was trying to get down to the specifics of how this worked, noting that when he bought property, it became his job to do what he needed to do to put what he needed to put on it, that the City did not do anything on it. He stated that he was just looking for some transparency in this matter.

He stated that in looking at the names on the appraisal, he saw "Schrimsher." He stated that he had been told that the property value was decreasing based on the market problem. He

stated that he understood they were spending \$250,000 every year for upkeep on this property and asked if they were spending \$250,000 for upkeep, why it was so dilapidated. He stated that he was just trying to get some understanding of what the City was paying. He asked if it was a mixture between the City and the private owner on getting the property ready. He stated that the names involved in this were suspect because every time he saw something about land, he saw the same names.

Pastor Johnson stated that he recalled when they had sold the Mission, and that he was still not clear on that. He stated that under a former administration, the City had bought the Mission and had said that a road would be built there, et cetera. He stated that he believed the appraisal had gone up so that the Mission could move, and stated that he believed it was in a better spot, but that he thought it should have been their money.

Pastor Johnson stated that he just needed some clarity on this matter. He stated that if the City was doing all this work, with City labor, City taxes, what were the independent business partners paying for this, or how it worked.

President Russell asked Councilman Kling if he wanted to comment on this.

Councilman Kling stated that, as he understood it, the demolition that was taking place was approximately 10 percent, and that the City was doing in-kind work for the City School System, and that the School System was doing some things for

the City, so that it was intergovernmental cooperation. He stated he was assuming that the agreement the School System had was that the property would be in a certain condition when it would be sold. He reiterated that the City was working with the School System on this. He stated that he felt this project was a positive thing for the area, that it was working in a blighted area.

Councilman Kling stated that \$350,000 was a ball park figure that was given and that it dealt with security personnel being on the premises, and utilities being turned on, so that basically they were talking about maintenance items, things that had to be done to maintain the property. He continued that this had nothing to do with capital upkeep or repairs, that it was just the utility bill and some personnel costs, as far as patrolling in the area at night, or whatever they had to do to secure the area.

Councilman Kling stated that he was not on the School Board and he might not know everything about the situation, but he was just stating what he knew.

Mr. Joffrion stated to Pastor Johnson that there were basically two purchase agreements involved in the transaction with the School Board, that one involved a private individual and the other involved the City of Huntsville. He stated that the City of Huntsville was purchasing approximately four acres from the School Board at this location, and that the purchase price had been discounted by an approximate value commensurate

with the cost for the City to demolish a portion of the building. He stated that the School Board's agreement with the private individual required that that portion of the building be demolished before the person would purchase it. He stated that from a value standpoint, the City had received a discount in the purchase price commensurate with what it cost to demolish that portion of the building, and then whatever arrangement the School Board had with the private individual was really between them. He reiterated that that agreement had required the building to be demolished and that spot cleared.

Ms. Carol Cotney appeared before the Council, stating that she slept at 305 Seminole Drive, the Salvation Army Emergency Shelter, where she had been since January 23, 2013. She stated that she had been homeless since December of 2008. She stated that she had a bunch of college degrees and a bunch of experience, and that she had lived in Huntsville for 57 years.

Ms. Cotney stated that her big concern was that 21 percent of the population made less than \$15,000 per year. She stated that it was cheaper to hire a person at minimum wage for 52 weeks, at 40 hours a week, than it was to buy a brand-new car or to send a student to Randolph High School. She stated that currently, it was very frustrating that when someone was willing to donate the money so that she could purchase a monthly pass to go out to the Alabama Career Center and to go to interviews, she could not accept a job because the bus did not go to where the jobs were, and they did not run on the



weekends. She stated that there were a lot of people sleeping in these human warehouses in the city, and that this was affecting the west side, that they had public housing.

Ms. Cotney stated that, as a matter of fact, the new prices on the apartments for public housing were higher than prices in the private sector. She stated that if persons currently residing in the Huntsville Housing Authority Apartments could afford to pay that rent, they could afford not to live in public housing.

Ms. Cotney stated that if a person was in a wheelchair on the 8th floor of a tower, and there was a major fire, they were going to die.

Ms. Cotney reiterated that she was concerned about public transportation. She stated that the bus system should be extended until 7 or 8 p.m., and that it should be extended on Saturdays, and even Sundays, so that persons could attend church. She stated that they needed an industrial loop, that they had all this stuff along the edges, and all the City of Huntsville stuff. She stated that only 40 percent of the people who resided in the city of Huntsville actually worked in the city.

Ms. Cotney stated that they had people who wanted to work, that they had people who wanted to be able to apply for a job and go to that job. She stated that one of the questions in interviews was, "Do you have reliable transportation?" She stated that her answer was, "My feet." She asked how many of

the Council members were going to walk seven or eight hours and stand on their feet.

Ms. Cotney stated that she had more education than many of the Council members, and then she was told that someone would give her a minimum wage job. She stated that she had taken all kinds of jobs.

Ms. Cotney stated that the City needed public transportation, which she noted was \$60,000 per mile. She stated that it was cheaper to expand and develop public transportation than it was to make more four- and eight-lane roads. She stated that if people had jobs, it would decrease government spending.

President Russell asked if anyone else would like to address the Council.

There was no response.

Upon motion, duly seconded, it was voted to adjourn.

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PRESIDENT OF THE CITY COUNCIL

ATTEST:

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CITY CLERK-TREASURER